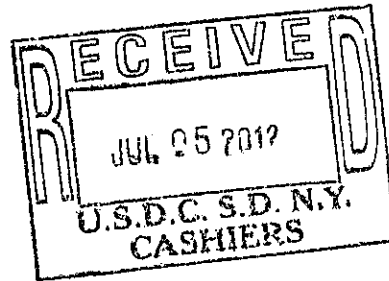


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12 CV 5230

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DAVID YOUNG-WOLFF,

Plaintiff,

v.

JOHN WILEY & SONS, INC.,

Defendant.

No.

**COMPLAINT AND DEMAND
FOR A JURY TRIAL**

Plaintiff David Young-Wolff, by and through undersigned counsel, pursuant to the Federal Rules of Civil Procedure and the applicable Local Rules of this Court, hereby demands a trial by jury of all claims and issues so triable and, for his Complaint against Defendant John Wiley & Sons, Inc. states as follows:

PARTIES

1. Plaintiff David Young-Wolff ("Plaintiff" or "Young-Wolff") is a resident of the State of California.
2. Defendant John Wiley & Sons, Inc. ("Wiley") is a New York corporation with its principal place of business at 11 Water Street, Hoboken, New Jersey.

JURISDICTION AND VENUE

3. This is an action for copyright infringement and related claims brought by Plaintiff, the owner of copyrights to photographs at issue in this action, against Defendant for unauthorized uses of Plaintiff's copyrighted photographs.

4. Jurisdiction for Plaintiff's claims lies with the United States District Court for the Southern District of New York pursuant to the Copyright Act of 1976, 17 U.S.C. §§ 101, *et seq.*, and 28 U.S.C. § 1338(a) (conferring original jurisdiction over claims arising under any act of Congress relating to copyrights).

5. Venue is proper in this Court under 28 U.S.C. §§ 1391(a) and (b) because Defendant conducts substantial business within the State of New York, infringed Plaintiff's copyrights within the State of New York, and a substantial part of the events or omissions giving rise to Plaintiff's claims occurred in the State of New York; and under 28 U.S.C. § 1400(a) since the alleged misconduct by Defendant occurred in this district.

6. Defendant Wiley has submitted to the jurisdiction of this Court in prior actions involving similar claims of copyright infringement.

FACTUAL ALLEGATIONS

7. Plaintiff is a professional photographer who makes his living by taking and licensing photographs.

8. Defendant Wiley is a publishing company in the business of creating and publishing educational textbooks, instructional technology materials, reference works, travel books, and other similar materials and publications.

9. Wiley exploited Plaintiff's copyrighted photographs in various publications without permission and/or in excess of any licenses that it may have obtained. A spreadsheet identifying hundreds of uses of Plaintiff's images by Defendant is attached hereto as "Exhibit 1."

10. Because information regarding Defendant's use of Plaintiff's photographs remains in Defendant's sole possession, the full scope of Defendant's unauthorized uses of Plaintiff's creative works has not yet been ascertained.

Allegations Related to Particular Publications

11. Upon information and belief, Defendant published Plaintiff's Image No. FAM581DYW041 001 (captioned or described as "16 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word 'more' while sitting on a blanket in their backyard, LA, CA") in its *Visualizing Psychology* 1e title and related publications in violation of Plaintiff's exclusive rights as the copyright owner, as more fully alleged below.

12. Upon information and belief, Defendant has published Plaintiff's Image No. FAM581DYW041 001 in its *Visualizing Psychology* 2e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

13. Upon information and belief, Defendant has published Plaintiff's Image No. FAM581DYW041 001 in its *Visualizing Psychology* 3e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

14. Upon information and belief, Defendant has published Plaintiff's Image No. FAM581DYW041 001 in its *Psychology in Action* 7e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

15. Upon information and belief, Defendant has published Plaintiff's Image No. FAM581DYW041 001 in its *Psychology in Action* 8e title and related publications in violation of

his exclusive rights as the copyright owner, as more fully alleged below.

16. Upon information and belief, Defendant has published Plaintiff's Image No. FAM581DYW041 001 in its *Psychology in Action* 9e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

17. Upon information and belief, Defendant has published Plaintiff's Image No. FAM581DYW041 001 in its *Psychology in Action* 10e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

18. Upon information and belief, Defendant has published Plaintiff's Image No. MEN751DYW066 001 (captioned or described as "Wh f therapist talks to irritated Wh young man during therapy session in her office, Santa Barbara, CA") in its *Visualizing Psychology* 1e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

19. Upon information and belief, Defendant has published Plaintiff's Image No. MEN751DYW066 001 in its *Visualizing Psychology* 2e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

20. Upon information and belief, Defendant has published Plaintiff's Image No. MEN751DYW066 001 in its *Visualizing Psychology* 3e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

21. Upon information and belief, Defendant has published Plaintiff's Image No. MEN751DYW066 001 in its *Psychology in Action* 7e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

22. Upon information and belief, Defendant has published Plaintiff's Image No. MEN751DYW066 001 in its *Psychology in Action* 8e title and related publications in violation

of his exclusive rights as the copyright owner, as more fully alleged below.

23. Upon information and belief, Defendant has published Plaintiff's Image No. MEN751DYW066 001 in its *Psychology in Action* 9e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

24. Upon information and belief, Defendant has published Plaintiff's Image No. MEN751DYW066 001 in its *Psychology in Action* 10e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

25. Upon information and belief, Defendant has published Plaintiff's Image No. CHI051DYW034 001 (captioned or described as "Curly-haired, angry Wh boy arguing w his friend sticks out his tongue") in the "Lab Manual" for its *Anatomy* title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

26. Upon information and belief, Defendant has published Plaintiff's Image No. COM361DYW228 001 (captioned or described as "Wh young man uses online chatroom to communicate over the Internet on his Mac computer at home") in its *Psychology in Action* 7e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

27. Upon information and belief, Defendant has published Plaintiff's Image No. COM361DYW228 001 in its *Psychology in Action* 8e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

28. Upon information and belief, Defendant has published Plaintiff's Image No. COM361DYW228 001 in its *Psychology in Action* 9e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

29. Upon information and belief, Defendant has published Plaintiff's Image No.

COM361DYW228 001 in its *Psychology in Action* 10e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

30. Upon information and belief, Defendant has published Plaintiff's Image No. MUS401DYW095 001 (captioned or described as "Wh drum major leads Cal marching band across field before football game, UC Berkeley, CA") photograph in its *College Algebra* 1e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

31. Upon information and belief, Defendant has published Plaintiff's Image No. MUS401DYW095 001 photograph in its *College Algebra* 2e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

32. Upon information and belief, Defendant has published Plaintiff's Image No. MUS401DYW095 001 photograph in its *Precalculus* 1e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

33. Upon information and belief, Defendant has published Plaintiff's Image No. MEN191DYW005 001 (captioned or described as "8 mo old Japanese/Wh baby boy held by his Wh mom gets scared of Wh woman at door of home") photograph in its *Abnormal Psychology* 9e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

34. Upon information and belief, Defendant has published Plaintiff's Image No. MEN191DYW005 001 photograph in its *Abnormal Psychology* 10e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

35. Upon information and belief, Defendant has published Plaintiff's Image No. MEN191DYW005 001 photograph in its *Abnormal Psychology* 11e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

36. Upon information and belief, Defendant has published Plaintiff's Image No. MEN191DYW005 001 photograph in its *Abnormal Psychology* 12e title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

37. Upon information and belief, Defendant has published Plaintiff's Image No. 865025-002 (captioned or described as "Woman comparing breakfast cereals in grocery st") photograph in undisclosed publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

38. Upon information and belief, Defendant has published Plaintiff's Image No. 200167101-002 (captioned or described as "Mature businesswoman at construction site") photograph in undisclosed publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

39. Upon information and belief, Defendant has published Plaintiff's Image No. CHI361DYW045 001 (captioned or described as "7 yr old Japanese/Wh identical twin sisters, unsure what to wear, look at their reflections in mirror while holding colorful clothes, SM, CA") photograph in its *Early Childhood* title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

40. Upon information and belief, Defendant has published Plaintiff's Image No. BAB521DYW025 001 (captioned or described as "8 mo old Japanese/Wh baby boy looks at bright yellow ball w holes while sitting on brick floor in yard outside") photograph in its *Early*

Childhood title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

41. Upon information and belief, Defendant has published Plaintiff's Image No. HAN321DYW026 001 (captioned or described as "16 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word 'more' while sitting on a blanket in their backyard, LA, CA") photograph in its *Early Childhood* title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

42. Upon information and belief, Defendant has published Plaintiff's Image No. 868110-001 (captioned or described as "Group portrait of teenagers (16-18) holding sch") photograph in undisclosed publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

43. Upon information and belief, Defendant has published Plaintiff's Image No. MEN681DYW041 001 (captioned or described as "Gesturing Wh middle-aged f family therapist counsels Wh couple & their sulking 13 yr old daughter & 10 yr old son sitting on a couch in her office, SM, CA") photograph in its *Clinical Psychology* title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

44. Upon information and belief, Defendant has published Plaintiff's Image No. MED785DYW075 001 ("Wh m technician instructs Wh man settling into Bod Pod before beginning weighing procedure, Cal State Long Beach, LB, CA") photograph in its *Visualizing Nutrition* title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

45. Upon information and belief, Defendant has published Plaintiff's Image No. AWD201DYW049 001 (captioned or described as "Japanese/Wh girl places star on chart in

elem school classroom, CA”) photograph in its *Psychology Around Us* title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

46. Upon information and belief, Defendant has published Plaintiff’s Images No. CHS121DYW096 001 (captioned or described as “Empty K classroom w children’s books & school supplies arranged on shelf”) photograph in its *Visualizing Elementary* title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

47. Upon information and belief, Defendant has published Plaintiff’s Image No. TEN115DYW038 001 (captioned or described as “15 yr old Fijian boy wearing sunglasses, 15 yr old BI girl w braided hair & 15 yr old Wh girl prepare to buy beverage from vending machine on school campus, SM, CA”) photograph in its *Visualizing Nutrition* title and related publications in violation of his exclusive rights as the copyright owner, as more fully alleged below.

48. Attached hereto as “Exhibit 2” is a summary of Defendant’s infringing uses of Plaintiff’s copyrighted works.

49. Defendant infringed Plaintiff’s copyrights in the photographs identified herein in various ways, including:

- Publishing Plaintiff’s works without permission;
- Reusing Plaintiff’s works in subsequent editions of titles without obtaining a valid license prior to publication;
- Publishing Plaintiff’s works prior to obtaining a valid license;
- Exceeding the limitations of licenses by printing more copies of the publications than was authorized;
- Exceeding the limitations of licenses by publishing Plaintiff’s works in electronic, ancillary, or derivative publications without permission;
- Exceeding the limitations of licenses by publishing Plaintiff’s works in foreign editions of publications without permission;
- Exceeding the limitations of licenses by distributing publications outside the authorized distribution area; and/or

- Refusing to provide usage information to Plaintiff relating to photographs owned by Plaintiff.

50. Defendant remains in sole possession of information necessary to determine the full scope of Defendant's infringements.

51. Defendant refused to cooperate with Plaintiff's repeated efforts to ascertain the uses that Defendant made of Plaintiff's photos.

52. Upon information and belief, a reasonable opportunity for further investigation and discovery will confirm that Defendant also has infringed other copyrighted works created and owned by Plaintiff.

53. Defendant's refusal to cooperate with Plaintiff's efforts to ascertain the uses that Defendant made of Plaintiff's photos demonstrates that Defendant's conduct is willful.

Copyright Registrations in Issue

54. Plaintiff registered copyright in Image No. FAM581DYW041 001 as part of Copyright Registration VAu000677325.

55. Plaintiff registered copyright in Image No. MEN751DYW066 001 as part of Copyright Registration VAu000671928.

56. Plaintiff registered copyright in Image No. CHI051DYW034 001 as part of Copyright Registration VAu000653759.

57. Plaintiff registered copyright in Image No. COM361DYW228 001 as part of Copyright Registration VAu000603428.

58. Plaintiff registered copyright in Image No. MUS401DYW095 001 as part of Copyright Registration VAu000653759.

59. Plaintiff registered copyright in Image No. MEN191DYW005 001 as part of Copyright Registration VAu000668441.

60. Plaintiff registered copyright in Image No. 865025-002 as part of Copyright Registration V Au000603428.

61. Plaintiff registered copyright in Image No. 200167101-002 as part of Copyright Registration V Au000653759.

62. Plaintiff registered copyright in Image No. CHI361DYW045 001 as part of Copyright Registration V Au000726501.

63. Plaintiff registered copyright in Image No. BAB521DYW025 001 as part of Copyright Registration V Au000688441.

64. Plaintiff registered copyright in Image No. HAN321DYW026 001 as part of Copyright Registration V Au000677325.

65. Plaintiff registered copyright in Image No. 868110-001 as part of Copyright Registration V Au000424546.

66. Plaintiff registered copyright in Image No. MEN681DYW041 001 as part of Copyright Registration V Au001001898.

67. Plaintiff registered copyright in Image No. MED785DYW075 001 as part of Copyright Registration V Au000610112.

68. Plaintiff registered copyright in Image No. AWD201DYW049 001 as part of Copyright Registration V Au000688623.

69. Plaintiff registered copyright in Image CHS121DYW096 001 as part of Copyright Registration No. V Au000653759.

70. Plaintiff registered copyright in Image TEN115DYW038 001 as part of Copyright Registration No. V Au001001898.

Contracts at Issue

71. In addition to the infringements identified above, Defendant has made hundreds of other uses of Plaintiff's photographs.

72. Attached hereto as Exhibit 1 is a chart setting forth available information regarding some of the license (or purported license) agreements pursuant to which Defendant obtained access to Plaintiff's photographs.

73. Upon information and belief, Defendant breached its obligations under the agreements referenced in Exhibit 1, including by:

- Publishing Plaintiff's photos prior to obtaining the licenses or purported license without disclosing that fact to Plaintiffs' licensing agents;
- Violating the terms and conditions of the agreements, including the print-run limitations and/or the distribution region; and
- Refusing to provide usage information requested by Plaintiff, in direct violation of the express and implied term of each license or purported license.

74. Upon information and belief, a reasonable opportunity for discovery will reveal dozens of additional license agreements between Defendant and Plaintiff's licensing agents and that Defendant breached its obligations thereunder.

Wiley's Pattern of Infringement

75. Defendant Wiley's fraudulent and infringing conduct is not limited to the publications identified herein.

76. Defendant Wiley's unauthorized and uncompensated use of Plaintiff's creative works is part of Wiley's broader pattern and practice of using third-party content without permission and in excess of license limitations.

77. Other photographers and stock photography agencies have brought actions against Defendant Wiley alleging copyright infringement claims nearly identical to those asserted by Plaintiff in this action. Indeed, Wiley has been sued all over the country by dozens of

photographers for infringing literally hundreds of photographs in dozens of different publications across multiple Wiley divisions, including:

- *John Wiley & Sons, Inc. v. Hiser*, No. 1:09-cv-4307 (S.D.N.Y.);
- *Grant Heilman v. John Wiley & Sons, Inc.*, No. 5:11-cv-01665 (E.D. Penn.);
- *Visuals Unlimited, Inc. v. John Wiley & Sons, Inc.*, No. 1:11-cv-0415 (D.N.H.);
- *Bean v. John Wiley & Sons, Inc.*, No. 3:12-cv-8001 (D. Ariz.);
- *DRK Photo v. John Wiley & Sons, Inc.*, No. 3:11-cv-8133 (D. Ariz.);
- *Psihoyos v. John Wiley & Sons, Inc.*, No. 11-cv-1416 (S.D.N.Y.);
- *Frerck v. John Wiley & Sons, Inc.*, No. 1:11-cv-2727 (N.D. Ill.);
- *Cole v. John Wiley & Sons, Inc.*, No. 11-cv-2090 (S.D.N.Y.);
- *Warren v. John Wiley & Sons, Inc.*, No. 12-cv-05070 (S.D.N.Y.); and
- *Rubin v. John Wiley & Sons, Inc.*, No. 12-cv-05071 (S.D.N.Y.).

78. Evidence submitted to the courts in those actions demonstrates that Defendant Wiley has engaged in a systematic pattern of fraud and copyright infringement.

79. Wiley has settled copyright infringement claims in several of these actions, including *John Wiley & Sons, Inc. v. Hiser*, No. 1:09-cv-4307 (S.D.N.Y.), and *Bean v. John Wiley & Sons, Inc.*, No. 3:12-cv-8001 (D. Ariz.).

80. Wiley has been found liable for dozens of infringements in *Bean v. John Wiley & Sons, Inc.*, No. 3:12-cv-8001 (D. Ariz.).

81. Wiley also has admitted to infringements in numerous cases, including *Visuals Unlimited, Inc. v. John Wiley & Sons, Inc.*, No. 1:11-cv-0415 (D.N.H.); *Bean v. John Wiley & Sons, Inc.*, No. 3:12-cv-8001 (D. Ariz.); *DRK Photo v. John Wiley & Sons, Inc.*, No. 3:11-cv-8133 (D. Ariz.); *Psihoyos v. John Wiley & Sons, Inc.*, No. 11-cv-1416 (S.D.N.Y.); and *Cole v. John Wiley & Sons, Inc.*, No. 11-cv-2090 (S.D.N.Y.).

82. Evidence from the *Visuals Unlimited* lawsuit demonstrates that Wiley admits to

numerous infringements, including infringements that involve publications at issue here. Attached hereto as “Exhibit 3” is a true and correct copy of Wiley’s admission of infringements involved in the *Visuals Unlimited* action.

83. Evidence submitted in the *Psihoyos* lawsuit demonstrates that Wiley admits to numerous infringements, including infringements that involve publications at issue here. Attached hereto as “Exhibits 4-7” are true and correct copies of Wiley’s admissions of various infringements involved in the *Psihoyos* action.

84. Evidence from the *Bean* lawsuit demonstrates that Wiley admits to numerous infringements, including infringements that involve publications at issue here. Attached hereto as “Exhibit 8” is a true and correct copy of Wiley’s admission of infringements involved in the *Bean* action.

85. Evidence from other lawsuits demonstrates that Wiley knowingly decided continued to sell inventory of publications that included unauthorized copies of third party content. Among other instances, Wiley made the decision to continue to sell inventory of publications that Wiley knew included unauthorized copies of third party content during an April 2011 meeting that involved Gary Rinck, Kay Pace, and others. Upon information and belief, Plaintiff owns images in the publications that Wiley decided to continue to sell during this April 2011 meeting.

86. Wiley’s unauthorized use of Plaintiff’s photograph identified herein is part of a broader, systematic pattern of unauthorized use and copyright infringement.

87. Wiley’s pattern of infringements demonstrates that its conduct is willful and intentional and reckless and habitual.

Wiley's Cleanup Campaign

88. Upon information and belief, Wiley has begun to contact photographers whose images were used without permission or in excess of permission in an effort to "clean up" infringements and license violations.

89. In the course of these cleanup efforts, Wiley has circumvented copyright owners, some of whom were pursuing claims against Wiley, and attempted to deal with licensing agents who were unaware of Wiley's infringements.

90. In dealing with licensing agents, Wiley routinely withholds critical information, including actual publication dates and print runs, to conceal evidence of copyright infringements while attempting to obtain copyright licenses.

91. Upon information and belief, Hilary Newman, Manager of the Photo Department of the Global Education division at Defendant Wiley, and William Zerter, Vice President of Finance and Operations of the Global Education division at Defendant Wiley, are involved in or leading this cleanup campaign and have contacted Plaintiff's licensing agents in an effort to surreptitiously obtain *ex post facto* licenses to conceal known infringements.

92. Wiley's cleanup campaign confirms that Wiley's conduct is willful and intentional.

COUNT I **COPYRIGHT INFRINGEMENT UNDER 17 U.S.C. § 501**

93. Plaintiff repeats and re-alleges each allegation set forth in all paragraphs above as if set forth fully herein.

94. Plaintiff is the owner of the copyrights in the photos identified herein and that are the subject of this action.

95. As set forth above and in Exhibit 2, Plaintiff has registered copyrights in the images for which copyright infringements are alleged.

96. Defendant Wiley used, published, distributed, and exploited Plaintiff's creative works without license or permission or authorization and/or in excess of any permission or license, and/or has violated Plaintiff's exclusive rights as the registered copyright owner by refusing to provide usage information for Plaintiff's copyrighted works.

97. Defendant Wiley's unauthorized uses of Plaintiff's copyrighted image were willful.

98. Plaintiff seeks all damages recoverable under the Copyright Act, including statutory or actual damages, including Defendant's profits attributable to the infringing uses of Plaintiff's creative works. Plaintiff also seeks all attorneys' fees and any other costs incurred in pursuing and litigating this matter.

COUNT II **FRAUD**

99. Plaintiff repeats and re-alleges each allegation set forth in all paragraphs above as if set forth fully herein.

100. The foregoing acts by Defendant constitute fraud in violation of all applicable laws.

101. Upon information and belief, Defendant intentionally and willfully and knowingly misrepresented material facts to Plaintiff's licensing agents, including, but not limited to, falsely representing that publication had not already occurred, that Wiley's intended use of Plaintiff's photographs would be limited to requested print run numbers and would not include any foreign editions or sales.

102. Upon information and belief, Defendant intentionally and willfully and knowingly misrepresented material facts to Plaintiff's licensing agents, including, but not limited to, misrepresenting the past publication and future publication plans for Plaintiff's photographs.

103. Upon information and belief, Defendant knew at the time it negotiated with Plaintiff's agents that Wiley's actual use of his image already had occurred and that Wiley already intended to violate various terms and conditions of the licenses and purported licenses.

104. Defendant knew that their representations were false when made and intended that Plaintiff and his agents would rely on these false representations to his detriment.

105. Defendant made these false representations to gain benefits for Defendant Wiley, including to obtain access to Plaintiff's photos at a lower license fee and to avoid liability for copyright infringement.

106. Defendant's fraudulent intent can be inferred from the gross misconduct that Wiley exhibited by willfully, knowingly, intentionally, drastically, repeatedly, and/or systematically printing other photographers' images prior to seeking or obtaining permission, and by violating the various licensing agreements governing Wiley's use of their images.

107. Defendant is involved in and leading a massive "clean up" effort intended to defraud copyright owners, including Plaintiff.

108. Defendant's fraudulent conduct was egregious and intentional.

109. Defendant's fraudulent representations reasonably deceived Plaintiff.

110. Plaintiff suffered damages as a result of Defendant's fraud, including depriving Plaintiff of the opportunity to obtain the full compensation to which he is entitled without litigation and without risk of not being compensated and without incurring significant expenses to obtain such rightful compensation.

111. Plaintiff seeks all damages recoverable under the law, including his costs and attorneys' fees.

112. Plaintiff also seeks punitive and/or heightened damages.

COUNT III
FRAUDULENT CONCEALMENT

113. Plaintiff repeats and re-alleges each allegation set forth in all paragraphs above as if set forth fully herein.

114. The foregoing acts by Defendant constitute fraudulent concealment in violation of all applicable laws.

115. Wiley, by publishing Plaintiff's photographs without permission and printing more copies of textbooks than was allowed under the license restrictions set forth in the license agreements governing Wiley's use of his photograph, had a duty in equity and good conscious to fully disclose and inform Plaintiff of such undertakings.

116. Notwithstanding this obligation, Defendant knowingly, willfully, and intentionally continued to fraudulently conceal crucial facts from Plaintiff and his agents.

117. Defendant had a duty and good faith obligation to disclose all relevant information when seeking a license from Plaintiff's agents.

118. Defendant's knowing, willful, and intentional failure to disclose such information is contrary to its obligations and duties to Plaintiff and reveals and evinces their intent to conceal fraudulent conduct.

119. Upon information and belief, Defendant intended by these misrepresentations to fraudulently obtain access to Plaintiff's photographs on terms that were more beneficial to Wiley, including by avoiding punitive fees or securing lower license fees and rates.

120. Plaintiff suffered unique and distinct pecuniary damages as a result of Defendant's fraud and concealment of information.

121. Plaintiff seeks all damages recoverable under the law, including his costs and attorneys' fees.

122. Plaintiff also seeks punitive and/or heightened damages.

COUNT IV **BREACH OF CONTRACT**

123. Plaintiff repeats and re-alleges each allegation set forth in all paragraphs above as if set forth fully herein.

124. Defendant has entered into hundreds of license agreements relating to Plaintiff's images, including but not limited to the agreements referenced in Exhibit 1.

125. Plaintiff is an intended beneficiary of all license agreements between his licensing agents and Defendant Wiley.

126. The licensing agreements require Wiley to disclose usage information to Plaintiff, the owner of the photographs in issue.

127. Notwithstanding Wiley's duty to provide such information, Wiley has refused to disclose usage information to Plaintiff.

128. Defendant has breached each of the contracts identified in Exhibit 1 by publishing the photographs governed by those agreements prior to the start date of the licenses and/or by exceeding material terms in the licenses, and or by violating the express and implied terms of each license by refusing to disclose usage information to Plaintiff.

129. By breaching its duties under the licensing agreements, and by otherwise breaching the terms of such agreements, Wiley caused injuries, damages and losses to the

Plaintiff, including lost revenues from the licensing of his photographs, and damage of the future value of those photographs.

COUNT V
INFRINGING EXPORTATION UNDER 17 U.S.C. § 602

130. Plaintiff repeats and re-alleges each allegation set forth in all paragraphs above as if set forth fully herein.

131. Defendant Wiley published Plaintiff's photos in publications that Wiley exported to foreign countries.

132. Defendant Wiley did not secure permission, authorization, or a license to export Plaintiff's photos.

133. Defendant Wiley's unauthorized exportation of Plaintiff's copyrighted images was willful.

134. Plaintiff seeks all damages recoverable under the Copyright Act, including statutory or actual damages, including Defendant's profits attributable to the infringing use of Plaintiff's creative work and the damages suffered as a result of the lack of compensation, credit, and attribution. Plaintiff also seeks all attorneys' fees and any other costs incurred in pursuing and litigating this matter.

WHEREFORE, Plaintiff respectfully prays for judgment on his behalf and for the following relief:

1. A preliminary and permanent injunction against Defendant precluding Defendant from copying, displaying, distributing, advertising, promoting, and/or selling the infringing publications identified herein, and requiring Defendant to deliver to the Court for destruction or other appropriate disposition all relevant materials, including digital files of Plaintiff's

photographs and all copies of the infringing materials described in this complaint, that are in the control or possession or custody of Defendant;

2. All allowable damages under the Copyright Act, including but not limited to, statutory or actual damages, including damages incurred as a result of Plaintiff's loss of licensing revenue, Defendant's lack of attribution, and Defendant's profits attributable to infringement;

3. Plaintiff's full costs, including litigation expenses, expert witness fees, interest, and any other amounts authorized under law, and attorneys' fees incurred in pursuing and litigating this matter;

4. Any other relief authorized by law, including punitive and/or exemplary damages;
and

5. For such other and further relief as the Court deems just and proper.

JURY TRIAL DEMANDED

Dated July 5, 2012

New York, New York.

Respectfully submitted,

NELSON & McCULLOCH LLP

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Attorneys for Plaintiff

EXHIBIT 1

David Young-Wolff Invoices to Wiley

Image No.	Invoice No.	Invoice Date	Publication Title	Image Description	Requested By
PEP365DYW002 001			Psychology in Action	Wh woman holds red pen in her mouth w lips parted	John Wiley & Sons, Inc
PEP365DYW001 001			Psychology in Action	Wh woman holds red pen in her mouth w lips closed	John Wiley & Sons, Inc
TRA241DYW039 001			Chemistry 4e	Wh woman wearing black leather jacket pumps gas into her SUV at gas station	John Wiley & Sons, Inc
CHI571DYW033 001			Physics Matters	Studio shot of a bunch of pastel colored helium balloons	John Wiley & Sons, Inc
CON361DYW115 002			Physics Matters	Hisp/Wh teen girl wearing maroon sweatshirt uses Internet to write paper on her home computer	John Wiley & Sons, Inc
TRA021DYW033 006			Principles of	Overhead view of gold-colored Mustang convertible parked in driveway	John Wiley & Sons, Inc
IEN421DYW055 004			Contemporary	Hisp teen girl lying on her bed watches TV as she does her homework on laptop computer	John Wiley & Sons, Inc
YNG571DYW037 001			Personality 9e	Wh young man introduces himself to Hisp young woman at party	John Wiley & Sons, Inc
YNG725DYW097 001			Personality 9e	Wh young man looks at book while exploring interesting section of UCSD library, La Jolla, CA	John Wiley & Sons, Inc
CAR685DYW009 004			Adjustment 9e	Wh senior m HS science teacher & 3 students discuss chemistry experiment using scale	John Wiley & Sons, Inc
COM365DYW125 002			Adjustment 9e	Computer screen shot of pop-up advertisements for porn web sites on the Internet	John Wiley & Sons, Inc
COM365DYW245 001			Adjustment 9e	Computer screen shot of match.com website	John Wiley & Sons, Inc
SHP161DYW027 001			General, Organic,	Hisp teen boy shopping w his Wh teen m friend checks label on jeans in department store	John Wiley & Sons, Inc
PRG801DYW032 001			Our Voice 2e	Pensive pregnant Hisp teen girl wearing blue shirt leans against lockers at school	John Wiley & Sons, Inc
CON361DYW163 001			Psychology 4e	Costa Rican/German young man writes e-mail on his IMAC computer in his dorm room at UCSD, La Jolla, CA	John Wiley & Sons, Inc
MEN681DYW009 003			Psychology 4e	Wh m therapist listens to Wh mom & teen son during family therapy session	John Wiley & Sons, Inc
TEN851DYW015 002			Adult Development	View from behind of Wh teen girl wearing plaid shirt using remote control for onscreen VCR programming	John Wiley & Sons, Inc
COM361DYW163 001			Psychology 4e	Costa Rican/German young man writes e-mail on his IMAC computer in his dorm room at UCSD, La Jolla, CA	John Wiley & Sons, Inc
MEN681DYW009 003			Psychology 4e	Wh m therapist listens to Wh mom & teen son during family therapy session	John Wiley & Sons, Inc
CAR685DYW009 004			Adjustment	Wh senior m HS science teacher & 3 students discuss chemistry experiment using scale	John Wiley & Sons, Inc
COM365DYW125 002			Adjustment	Computer screen shot of pop-up advertisements for porn web sites on the Internet	John Wiley & Sons, Inc

COM36SDYW235 001	Adjustment	Computer screen shot of Synovus.com financial services website on the Internet	John Wiley & Sons, Inc
CHI571DYW033 001	Physics Matters 1e	Studio shot of a bunch of pastel colored helium balloons	John Wiley & Sons, Inc
COM361DYW115 002	Physics Matters 1e	Hispr/Wh teen girl wearing maroon sweatshirt uses Internet to write paper on her home computer	John Wiley & Sons, Inc
BOR001DYW018 001	Abnormal Psychology	JH students study while JH boy throws paper airplane in classroom	John Wiley & Sons, Inc
DRU561DYW012 001	Abnormal Psychology	Wh young man lying in fetal position on his bed experiences drug withdrawal	John Wiley & Sons, Inc
MEN581DYW001 001	Abnormal Psychology	Wh mom, dad & their teen daughter sitting on couch talk w Hispr f therapist	John Wiley & Sons, Inc
YNS021DYW035 001	Abnormal Psychology	Multi-ethnic gp of college students studies at tables in Starbucks on UC Berkeley campus, Berkeley, CA	John Wiley & Sons, Inc
THN271DYW018 001	Cost Management	Sonicare electric toothbrush w 2 toothbrush attachments at its side on blue tile counter	John Wiley & Sons, Inc
TRA021DYW033 006	Financial Accounting	Overhead view of gold-colored Mustang convertible parked in driveway	John Wiley & Sons, Inc
COM101DYW082 001	Personal Finance 1e	Hispr teen girl uses laptop computer to make graphs	John Wiley & Sons, Inc
HAN151DYW003 001	Personal Finance 1e	Wh dad & son push mom in wheelchair in park, young son walks alongside	John Wiley & Sons, Inc
MON375DYW009 001	Personal Finance 1e	Wh young man using calculator pays bills & records expenses at table	John Wiley & Sons, Inc
MON501DYW006 003	Personal Finance 1e	Major credit card signs posted on store window	John Wiley & Sons, Inc
REA201DYW005 001	Personal Finance 1e	Wh woman's hand signs loan document	John Wiley & Sons, Inc
REA225DYW001 004	Personal Finance 1e	Neat middle class homes on a tree-lined street w "For Sale" signs posted on lawns	John Wiley & Sons, Inc
MED785DYW006 001	Nutrition: Everyday	Wh f technician measures body fat of Wh woman using skin fat calipers	John Wiley & Sons, Inc
OBS001DYW005 002	Nutrition: Everyday	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Sons, Inc
OBS101DYW002 003	Nutrition: Everyday	Wh woman wearing sweater vest binges on eclairs, chips, ice cream, cookies & candy	John Wiley & Sons, Inc
TOD365DYW001 001	Nutrition: Everyday	Hispr pre-K girl wearing red shirt brushes her teeth at bathroom sink	John Wiley & Sons, Inc
OBS001DYW005 002	Nutrition Visual	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Sons, Inc
OBS101DYW002 003	Nutrition Visual	Wh woman wearing sweater vest binges on eclairs, chips, ice cream, cookies & candy	John Wiley & Sons, Inc
OBS001DYW005 002	Nutrition Visual	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Sons, Inc
OBS101DYW002 003	Nutrition Visual	Wh woman wearing sweater vest binges on eclairs, chips, ice cream, cookies & candy	John Wiley & Sons, Inc
CHI051DYW034 001	Lab Manual for	Culpry-haired, angry Wh boy arguing w his friend sticks out his tongue	John Wiley & Sons, Inc
POL501DYW049 002	Big Java 2e	Wh man's hand uses pen to punch hole next to candidate he prefers on ballot in voting booth at polling place	John Wiley & Sons, Inc
PEP565DYW001 001	Living Psychology	Wh woman holds red pen in her mouth w lips closed	John Wiley & Sons, Inc

PEP565DYW002 001			Living Psychology	Wh woman holds red pen in her mouth w lips parted	John Wiley & Sons, Inc
PO1501DYW049 002			Computing Concepts	Wh man's hand uses pen to punch hole next to candidate he prefers on ballot in voting booth at polling place	John Wiley & Sons, Inc
OBS001DYW005 002			Nutrition 1e Trans	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Sons, Inc
OBS101DYW002 003			Nutrition 1e Trans	Wh woman wearing sweater vest binges on eclairs, chips, ice cream, cookies & candy	John Wiley & Sons, Inc
CWD201DYW008 001			Operations Manage-	Multi-ethnic gp of people waits in line to check baggage & receive boarding passes	John Wiley & Sons, Inc
MON301DYW003 003			Operations Manage-	Hisp young woman w brown backpack uses University Credit Union ATM outside	John Wiley & Sons, Inc
OBS001DYW005 002			Health Psychology 5e	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Sons, Inc
TEN421DYW055 004			Marketing Research	Hisp teen girl lying on her bed watches TV as she does her homework on laptop computer	John Wiley & Sons, Inc
TDS021DYW002 001			Child Psychology	Hisp f day care worker feeds infant & 3 toddlers in high chairs	John Wiley & Sons, CAN LT
FOD101DYW027 001			Organizational	Common antioxidant sources: green tea, red tea & oatmeal	John Wiley & Sons, Inc
MUS401DYW095 001			College Algebra 1e	Wh drum major leads Cal marching band across field before football game, UC Berkeley, CA	John Wiley & Sons, Inc
MEN005DYW002 001			Abnormal Psychology	Wh adult son holds glass so his senior in wheelchair who has Alzheimer's can drink through straw	John Wiley & Sons, Inc
MEN121DYW020 001			Abnormal Psychology	Depressed Wh senior man sits at his kitchen table w his head resting on his hand	John Wiley & Sons, Inc
MEN191DYW005 001			Abnormal Psychology	8 mo old Japanese/Wh baby boy held by his Wh mom gets scared of Wh woman at door of home	John Wiley & Sons, Inc
MEN681DYW009 004			Abnormal Psychology	Wh m therapist listens to Wh mom & teen son during family therapy session	John Wiley & Sons, Inc
SEN071DYW010 004			Abnormal Psychology	Wh sen woman unloads dishwasher as her husband w Alzheimer's cleans counter in kitchen w labeled cabinets	John Wiley & Sons, Inc
TDS031DYW001 001			Abnormal Psychology	Crying Wh toddler boy hugs his mom's leg as she drops him off at day care	John Wiley & Sons, Inc
CAR383DYW031 001			Because Teaching	Wh teen girl interviews her mother about her life on table at home	John Wiley & Sons, Inc
CAR781DYW003 001			Because Teaching	Wh f student teacher w clipboard observes Wh f HS teacher showing lamb's heart to class before dissection	John Wiley & Sons, Inc
855026-004	4906579-9000867	8/19/2005		Woman shopping in produce section of grocery st	John Wiley & Sons/Trade
865025-002	4974384-9330166	9/30/2005		Woman comparing breakfast cereals in grocery st	John Wiley & Sons/College
351849-004	5014530-9560939	10/29/2005		Woman sitting at kitchen table holding bottle	John Wiley & Sons/College
865126-001	5057521-9766666	11/23/2005		Teenage girl (16-18) driving car, talking on mo	John Wiley & Sons/College
COW361DYW228 001			Psychology In	Wh young man uses online chatroom to communicate over the Internet on his Mac computer at home	John Wiley & Sons, Inc

PEP56SDYW001 001		Psychology In	Wh woman bites down on pen & frowns to show tensed facial muscles	John Wiley & Sons, Inc
PEP56SDYW002 001		Psychology In	Wh woman bites down on pen & smiles to show relaxed facial muscles	John Wiley & Sons, Inc
PEP06SDYW005 007		General, Organic,	Wh woman wearing red shirt pours coolant into radiator system in her car	John Wiley & Sons, Inc
PEP361DYW016 008		General, Organic,	Bl Hisp woman sitting on bed applies cream to her thighs	John Wiley & Sons, Inc
CHI401DYW016 001		Helping Children	B/Hisp girl using ruler measures height of Japanese girl standing against wall chart, SM, CA	John Wiley & Sons, Inc
HAN341DYW035 003		Nutrition: Science	Multi-ethnic gp of children w Fetal Alcohol Syndrome poses for camera on ladder	John Wiley & Sons, Inc
MED785DYW006 001		Nutrition: Science	Wh f technician measures body fat of Wh woman using skin fat calipers	John Wiley & Sons, Inc
OBS001DYW005 002		Nutrition: Science	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Sons, Inc
OBS101DYW002 003		Nutrition: Science	Bulemic Wh woman wearing sweater vest binges in private on eclairs, chips, ice cream, cookies & candy	John Wiley & Sons, Inc
REF151DYW025 001		Nutrition: Science	Hisp teen girl looking over her shoulder checks fit of her jeans in mirror on door	John Wiley & Sons, Inc
TOD365DYW001 001		Nutrition: Science	Hisp pre-K girl wearing red shirt brushes her teeth at bathroom sink	John Wiley & Sons, Inc
PEP06SDYW005 007		Foundations College	Wh woman wearing red shirt pours coolant into radiator system in her car	John Wiley & Sons, Inc
PEP06SDYW005 007		Alternate Edition	Wh woman wearing red shirt pours coolant into radiator system in her car	John Wiley & Sons, Inc
200167101-002	5246539-10842420		Mature businesswoman at construction site	John Wiley & Sons/College
879930-001	5348615-11431300		Am school bus, different views (Digital C	John Wiley & Sons/Trade
398801-001	5433454-11975717		Mature woman drinking alone in bed, television	John Wiley & Sons/College
392981-008	5545382-12815493		F graduate holding degree, w arms around	John Wiley & Sons/College
TRA021DYW033 006		Principles 8e	Overhead view of gold-colored Mustang convertible parked in driveway	John Wiley & Sons, Inc
CAR685DYW009 004		Psychology of Life	Wh senior m HS science teacher & 3 students discuss chemistry experiment using scale	John Wiley & Sons, Inc
COM365DYW125 002		Psychology of Life	Computer screen shot of pop-up advertisements for porn web sites on the Internet	John Wiley & Sons, Inc
FAM581DYW041 001		Visualizing Psychology	16 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word "more" while sitting on a blanket in their backyard, LA, CA	John Wiley & Sons, Inc
MEN751DYW066 001		Visualizing Psychology	Wh f therapist talks to irritated Wh young man during therapy session in her office, Santa Barbara, CA	John Wiley & Sons, Inc
PEP56SDYW001 001		Visualizing Psychology	Wh woman bites down on pen & frowns to show tensed facial muscles	John Wiley & Sons, Inc
PEP56SDYW002 001		Visualizing Psychology	Wh woman bites down on pen & smiles to show relaxed facial muscles	John Wiley & Sons, Inc
BAB521DYW025 001		Early Childhood	8 mo old Japanese/Wh baby boy looks at bright yellow ball w holes while sitting on brick floor in yard outside	John Wiley & Sons, Inc
CHI051DYW029 001		Early Childhood	Korean girl argues w her Wh m friend in classroom	John Wiley & Sons, Inc

CHI361DYW045 001			Early Childhood	7 yr old Japanese/Wh identical twin sisters, unsure what to wear, look at their reflections in mirror while holding colorful clothes, SM, CA	John Wiley & Sons, Inc
ENV505DYW031 002			Early Childhood	Hisp girl & Wh boy pup paper into recycling bin in their classroom	John Wiley & Sons, Inc
HAN321DYW026 001			Early Childhood	16 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word "more" while sitting on a blanket in their backyard, LA, CA	John Wiley & Sons, Inc
SCN301DYW012 001			Early Childhood	Multi-ethnic gp of children looks at flowers on field trip w Wh f teacher	John Wiley & Sons, Inc
LIB501DYW018 001			Personality 10e	Wh young man looks at book while exploring interesting section of UCSD library, La Jolla, CA	John Wiley & Sons, Inc
YNG571DYW037 001			Personality 10e	Wh young man introduces himself to Hisp young woman at party	John Wiley & Sons, Inc
POL501DYW049 002			Big Java 3e by Horstman	Wh man's hand uses pen to punch hole next to candidate he prefers on ballot in voting booth at polling place	John Wiley & Sons, Inc
CAR715DYW025 001			Guiding Learning with	Wh f elem school teacher grades students' papers at her desk in classroom	John Wiley & Sons, Inc
CHI051DYW034 001			Lab Manual for Anatomy	Close-up of Wh boy sticking his tongue out in anger	John Wiley & Sons, Inc
SPT685DYW113 001			Introduction to	Multi-ethnic teen boys' soccer team celebrates in a huddle after winning game	John Wiley & Sons, Inc
BOR001DYW018 001			Abnormal Psychology	Multi-ethnic gp of JH students studies while Wh JH boy throws paper airplane in classroom	John Wiley & Sons, Inc
DRU561DYW012 001			Abnormal Psychology	Wh young man lying in fetal position on his bed experiences drug withdrawal	John Wiley & Sons, Inc
MEN681DYW001 001			Abnormal Psychology	Wh mom, dad & their teen daughter sitting on couch talk w Hisp f therapist	John Wiley & Sons, Inc
MEN751DYW014 007			Abnormal Psychology	Wh m therapist listens to BI f patient on checkered couch in office	John Wiley & Sons, Inc
PEP065DYW005 007			General, Organic,	Wh woman wearing red shirt pours coolant into radiator system in her car	John Wiley & Sons, Inc
SHP161DYW027 001			General, Organic,	Hisp teen boy shopping w his Wh teen m friend checks label on jeans in department store	John Wiley & Sons, Inc
TRA021DYW033 001			Financial Accounting	Overhead view of gold-colored Mustang convertible parked in driveway	John Wiley & Sons, Inc
OBS001DYW005 002			Healthy Psychology	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Sons, Inc
CHI821DYW084 001			Environment 6e	Cars line up on street near elem school to drop off children in morning	John Wiley & Sons, Inc
374784-009	5641115-13522726	3/28/2007		Teenage boys drinking beer & smoking by graffiti	John Wiley & Sons/College
868110-001	5681352-14923070	9/28/2007		Group portrait of teenagers (16-18) holding sch	Jossey-Bass
352875-004	5964445-15368144	11/27/2007		Mother helping baby girl (6-9 mo) take first	John Wiley & Sons/College
CHI431DYW013 001			Child Psychology	Wh 1st gr girl counts on her fingers to solve math problem on flashcard help by her Wh f friend at home	John Wiley & Sons, Inc
SPT025DYW183 001			Child Psychology	Hisp boy playing catch w his friend prepares to catch baseball outdoors	John Wiley & Sons, Inc
CWD201DYW008 001			Operation Management	Multi-ethnic gp of people waits in line to check baggage & receive boarding passes	John Wiley & Sons, Inc

NON301DYW003 003		Operation Management	Hispanic young woman w brown backpack uses University Credit Union ATM outside	John Wiley & Sons, Inc
YNS021DYW029 001		Operation Management	2 Wh young women order fast food from Taco Bell Express window at food court on campus at UCLA, Westwood, CA	John Wiley & Sons, Inc
MEN681DYW009 003		Psychology 5e	Wh m therapist listens to Wh mom & teen son during family therapy session	John Wiley & Sons, Inc
PEP351DYW016 001		Understanding Motivation & Emotion	Outdoor portrait of multi-ethnic gp of 7 smiling adults	John Wiley & Sons, Inc
MUS401DYW095 001		College Algebra 2e	Wh drum major leads Cal marching band across field before football game, UC Berkeley, CA	John Wiley & Son Canada,
POL501DYW049 002		Horstmann-Big C+	Wh man's hand uses pen to punch hole next to candidate he prefers on ballot in voting booth at polling place	John Wiley & Son Canada,
FOD101DYW027 001		Organizational Behavior	Common antioxidant sources: green tea, red tea & oatmeal	John Wiley & Sons, Inc.
TRA021DYW033 006		Principles 9e by Weyga	Overhead view of gold-colored Mustang convertible parked in driveway	John Wiley & Sons, Inc.
ENV701DYW005 004		Management 10e	2 cartoons of Ben & Jerry's ice cream w 3 pamphlets on company philosophy	John Wiley & Sons, Inc.
SIG301DYW073 001		Management 10e	Banner above entrance identifies Patagonia on Main Street, SM, CA	John Wiley & Sons, Inc.
873181-004	6028412-15818262		Multi-ethnic jurors on jury box, listening to d	John Wiley & Sons/College
200430849-001	1163550-17662931		Mother & daughter (8-10) using pasta machi	John Wiley & Sons Australia
885049-004	6298975-17882428		2 generation family w 3 children, port	John Wiley & Sons/College
398801-001	6404494-18576169		Mature woman drinking alone in bed, television	John Wiley & Sons/College
398801-001	6425626-18685721		Mature woman drinking alone in bed, television	John Wiley & Sons/College
398801-001	6425626-18685721		Mature woman drinking alone in bed, television	John Wiley & Sons/College
FAM581DYW041 001		Visualizing Psychology	16 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word "more" while sitting on a blanket in their backyard, LA, CA	John Wiley & Sons, Inc.
FAM581DYW041 001		Visualizing Psychology	17 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word "more" while sitting on a blanket in their backyard, LA, CA	John Wiley & Sons, Inc.
MEN751DYW066 001		Visualizing Psychology	Wh f therapist talks to irritated Wh young man during therapy session in her office, Santa Barbara, CA	John Wiley & Sons, Inc.
MEN751DYW066 001		Visualizing Psychology	Wh f therapist talks to irritated Wh young man during therapy session in her office, Santa Barbara, CA	John Wiley & Sons, Inc.
OBS001DYW010 001		Visualizing Psychology	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Sons, Inc.
MEN751DYW066 001		Psychology in Action	Wh f therapist talks to irritated Wh young man during therapy session in her office, Santa Barbara, CA	John Wiley & Sons, Inc.
MEN751DYW066 001		Psychology in Action	Wh f therapist talks to irritated Wh young man during therapy session in her office, Santa Barbara, CA	John Wiley & Sons, Inc.
PEP565DYW001 001		Psychology in Action	Wh woman bites down on pen & frowns to show tensed facial muscles	John Wiley & Sons, Inc.

PEP565DYW002 001		Psychology in Action	Wh woman bites down on pen & smiles to show relaxed facial muscles	John Wiley & Sons, Inc.
POL501DYW049 002		For Everyone 1e	Wh man's hand uses pen to punch hole next to candidate he prefers on ballot in voting booth at polling place	John Wiley & Sons, Inc.
TOS031DYW001 001		Abnormal Psychology	Crying Wh pre-K boy hugs mom's leg as she drops him off at day care	John Wiley & Sons, Inc.
MEN681DYW009 004		Abnormal Psychology	Wh m therapist listens to Wh mom & teen son during family therapy session	John Wiley & Sons, Inc.
MEN191DYW005 001		Abnormal Psychology	8 mo old Japanese/Wh baby boy held by his Wh mom gets scared of Wh woman at door of home	John Wiley & Sons, Inc.
MEN121DYW020 001		Abnormal Psychology	Depressed Wh senior man sits at his kitchen table w his head resting on his hand	John Wiley & Sons, Inc.
MEN005DYW002 001		Abnormal Psychology	Wh adult son holds glass so his senior in wheelchair who has Alzheimer's can drink through straw	John Wiley & Sons, Inc.
MED301DYW006 003		Abnormal Psychology	Bl f nurse wearing latex gloves administers flu shot to Wh woman at Rite Aid, SM, CA	John Wiley & Sons, Inc.
MEN681DYW041 001		Clinical Psychology	Gesturing Wh middle-aged f family therapist counsels Wh couple & their sulking 13 yr old daughter & 10 yr old son sitting on a couch in her office, SM, CA	John Wiley & Son Canada,
CHI821DYW084 001		Environment 7e	Cars line up on street near elem school to drop off children in morning	John Wiley & Sons, Inc.
YNG725DYW097 001		Personality 11e	Wh young man looks at book while exploring interesting section of UCSD library, La Jolla, CA	John Wiley & Sons, Inc.
YNG571DYW037 001		Personality 11e	Wh young man introduces himself to Hisp young woman at party	John Wiley & Sons, Inc.
MEN681DYW001 001		Clinical Psychology 1e	Wh mom, dad & their teen daughter sitting on couch talk w Hisp f therapist	John Wiley & Sons, Inc.
OBS101DYW002 003		Visualizing Nutrition	Bulemic Wh woman wearing sweater vest binges in private on eclairs, chips, ice cream, cookies & candy, SM, CA	John Wiley & Sons, Inc.
OBS001DYW005 002		Visualizing Nutrition	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Sons, Inc.
MED785DYW075 001		Visualizing Nutrition	Wh m technician instructs Wh man settling into Bod Pod before beginning weighing procedure, Cal State Long Beach, LB, CA	John Wiley & Sons, Inc.
MED785DYW006 001		Visualizing Nutrition	Wh f technician measures body fat of Wh woman using skin fat calipers	John Wiley & Sons, Inc.
SHP301DYW026 001		Nutrition: Science	Weight Watchers & Lean Cuisine frozen dinners on display in freezer section of supermarket	John Wiley & Sons, Inc.
REF151DYW025 001		Nutrition: Science	Hisp teen girl looking over her shoulder checks fit of her jeans in mirror on door	John Wiley & Sons, Inc.
OBS101DYW002 001		Nutrition: Science	Bulemic Wh woman wearing sweater vest binges in private on eclairs, chips, ice cream, cookies & candy, SM, CA	John Wiley & Sons, Inc.
OBS001DYW005 001		Nutrition: Science	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Sons, Inc.
MED785DYW006 001		Nutrition: Science	Wh f technician measures body fat of Wh woman using skin fat calipers	John Wiley & Sons, Inc.
HAN341DYW035 003		Nutrition: Science	Multi-ethnic gp of children w Fetal Alcohol Syndrome poses for camera on ladder	John Wiley & Sons, Inc.

SIG301DYW073 001			Exploring Management	Banner above entrance Identifies Patagonia on Main Street, SM, CA	John Wiley & Sons, Inc.
MUS401DYW095 001			Precalculus 1e	Wh drum major leads Cal marching band across field before football game, UC Berkeley, CA	John Wiley & Sons, Inc.
PEP565DYW002 001			Psychology Around	Wh woman bites down on pen & smiles to show relaxed facial muscles	John Wiley & Sons, Inc.
PEP565DYW001 001			Psychology Around	Wh woman bites down on pen & frowns to show tensed facial muscles	John Wiley & Sons, Inc.
FAM581DYW041 001			Psychology Around	16 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word "more" while sitting on a blanket in their backyard, LA, CA	John Wiley & Sons, Inc.
AWD201DYW049 001			Psychology Around	Japanese/Wh girl places star on chart in elem school classroom, CA	John Wiley & Sons, Inc.
PEP065DYW005 007			Foundations of	Wh woman wearing red shirt pours coolant into radiator system in her car	John Wiley & Sons, Inc.
351849-004	6516271-19722501	1/30/2009		Woman sitting at kitchen table holding bottle	John Wiley & Sons/College
877750-004	6613440-20023618	5/22/2009		Korean teenage girl (16-18) working in flower s	John Wiley & Sons/College
200028636-004	6645271-20377491	7/12/2009		Gp of men, women & children smiling, port	John Wiley & Sons/College
392981-008	6653734-20468430	7/17/2009		F graduate holding degree, w arms around	John Wiley & Sons/College
POL501DYW049 002			Big Java 4e	Wh man's hand uses pen to punch hole next to candidate he prefers on ballot in voting booth at polling place	John Wiley & Sons, Inc.
POL501DYW049 002			Java Concepts 6e	Wh man's hand uses pen to punch hole next to candidate he prefers on ballot in voting booth at polling place	John Wiley & Sons, Inc.
POL501DYW049 002			Java for Everyone	Wh man's hand uses pen to punch hole next to candidate he prefers on ballot in voting booth at polling place	John Wiley & Sons, Inc.
FAM581DYW041 001			Visualizing Psychology	16 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word "more" while sitting on a blanket in their backyard, LA, CA	John Wiley & Son Canada,
MEN751DYW066 001			Visualizing Psychology	Wh f therapist talks to irritated Wh young man during therapy session in her office, Santa Barbara, CA	John Wiley & Son Canada,
OBS001DYW010 001			Visualizing Psychology	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Son Canada,
SHP161DYW027 001			General, Organic, Bio-	Hisp teen boy shopping w his Wh teen m friend checks label on jeans in department store	John Wiley & Sons, Inc.
PEP065DYW005 007			General, Organic, Bio-	Wh woman wearing red shirt pours coolant into radiator system in her car	John Wiley & Sons, Inc.
PEP065DYW005 007			Alternate Edition Found	Wh woman wearing red shirt pours coolant into radiator system in her car	John Wiley & Sons, Inc.
MEN681DYW009 003			Visualizing Psychology	Wh m therapist listens to Wh mom & teen son during family therapy session	John Wiley & Son Canada,
CHI051DYW034 001			Lab Manual for Anatom	Close-up of Wh boy sticking his tongue out in anger	John Wiley & Sons, Inc.
YNS021DYW029 001			Operations Management	2 Wh Young women order fast food from Taco Bell Express window at food court on campus at UCLA, Westwood, CA	John Wiley & Sons, Inc.
MON301DYW003 003			Operations Management	Hisp young woman w brown backpack uses University Credit Union ATM outside	John Wiley & Sons, Inc.
CWD201DYW008 001			Operations Management	Multi-ethnic gp of people waits in line to check baggage & receive boarding passes	John Wiley & Sons, Inc.

OBS001DYYW005 002		Health Psychology	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Sons, Inc.
OBS001DYYW005 002		Health Psychology	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Sons, Inc.
MEN681DYYW009 003		Psychology 6e	Wh m therapist listens to Wh mom & teen son during family therapy session	John Wiley & Sons, Inc.
SIG301DYYW073 001		Management 11e	Banner above entrance identifies Pataponia on Main Street, SM, CA	John Wiley & Sons, Inc.
392981-008	2/23/2010		F graduate holding degree, w arms around	John Wiley & Son Canada,
873181-004	7/16/2010		Multi-ethnic jurors on jury box, listening to del	John Wiley & Sons/Hgher
YNG231DYYW005 001		Visualizing Elementary	Multi-ethnic gp of young adults play tug-of-war on grass outside, SM, CA	John Wiley & Sons, Inc.
JRS041DYYW071 001		Visualizing Elementary	2 Hlsp JH girls set up Perimeter Area And Volume science project on table at school science fair	John Wiley & Sons, Inc.
CHS121DYYW096 001		Visualizing Elementary	Empty K classroom w children's books & school supplies arranged on shelf	John Wiley & Sons, Inc.
CHS121DYYW035 001		Visualizing Elementary	Wh f K teacher wearing blue dress reads book to class sitting on floor	John Wiley & Sons, Inc.
CHI135DYYW005 001		Visualizing Elementary	Wh girl w backwards baseball cap about to bite into a hotdog w mustard	John Wiley & Sons, Inc.
SHP791DYYW003 001		Fundamentals of Corporate Accounting	Exterior of Blockbuster Video store displaying its yellow & blue sign	John Wiley & Sons, Inc.
YNG421DYYW122 001		Psychology In Action	Wh young woman does homework at home while eating McDonald's meal for dinner w books & laptop on table	John Wiley & Sons, Inc.
PEP565DYYW002 001		Psychology In Action	Wh woman bites down on pen & smiles to show relaxed facial muscles	John Wiley & Sons, Inc.
PEP565DYYW001 001		Psychology In Action	Wh woman bites down on pen & frowns to show tensed facial muscles	John Wiley & Sons, Inc.
MEN751DYYW066 001		Psychology In Action	Wh f therapist talks to irritated Wh young man during therapy session in her office, Santa Barbara, CA	John Wiley & Sons, Inc.
FAM581DYYW041 001		Psychology In Action	16 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word "more" while sitting on a blanket in their backyard, LA, CA	John Wiley & Sons, Inc.
FAM581DYYW041 001		Psychology In Action	17 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word "more" while sitting on a blanket in their backyard, LA, CA	John Wiley & Sons, Inc.
COM365DYYW136 001		Psychology In Action	Computer screen shot of Monster.com home page on the Internet	John Wiley & Sons, Inc.
COM361DYYW228 001		Psychology In Action	Wh young man uses online chatroom to communicate over the Internet on his Mac computer at home	John Wiley & Sons, Inc.
TRA021DYYW033 001		Principles 9e	Overhead view of gold-colored Mustang convertible parked in driveway	John Wiley & Sons, Inc.
MEN751DYYW066 001		Psychology In Action	Wh f therapist talks to irritated Wh young man during therapy session in her office, Santa Barbara, CA	John Wiley & Sons, Inc.
MEN751DYYW066 001		Psychology In Action	Wh f therapist talks to irritated Wh young man during therapy session in her office, Santa Barbara, CA	John Wiley & Sons, Inc.
FAM581DYYW041 001		Psychology In Action	16 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word "more" while sitting on a blanket in their backyard, LA, CA	John Wiley & Sons, Inc.

FAN581DYW041 001		Psychology In Action	17 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word "more" while sitting on a blanket in their backyard, LA, CA	John Wiley & Sons, Inc.
FAN581DYW041 001		Psychology In Action	18 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word "more" while sitting on a blanket in their backyard, LA, CA	John Wiley & Sons, Inc.
COM365DYW136 001		Psychology In Action	Computer screen shot of Monster.com home page on the Internet	John Wiley & Sons, Inc.
COM361DYW228 001		Psychology In Action	Wh young man uses online chatroom to communicate over the Internet on his Mac computer at home	John Wiley & Sons, Inc.
TEN115DYW038 001		Visualizing Nutrition	15 yr old Filipino boy wearing sunglasses, 15 yr old BI girl w braided hair & 15 yr old Wh girl prepare to buy beverage from vending machine on school campus. SM, CA	John Wiley & Sons, Inc.
OBS101DYW002 003		Visualizing Nutrition	Bulimic Wh woman wearing sweater vest binges in private on eclairs, chips, ice cream, cookies & candy, SM, CA	John Wiley & Sons, Inc.
OBS001DYW005 002		Visualizing Nutrition	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Sons, Inc.
OBS001DYW005 002		Visualizing Nutrition	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Sons, Inc.
MED785DYW075 001		Visualizing Nutrition	Wh m technician instructs Wh man settling into Bod Pod before beginning weighing procedure, Cal State Long Beach, LB, CA	John Wiley & Sons, Inc.
MED785DYW006 001		Visualizing Nutrition	Wh f technician measures body fat of Wh woman using skin fat calipers	John Wiley & Sons, Inc.
HAN341DYW035 003		Visualizing Ze	Multi-ethnic gp of children w Fetal Alcohol Syndrome poses for camera on ladder	John Wiley & Sons, Inc.
MUS401DYW095 001		College Algebra	Wh drum major leads Cal marching band across field before football game, UC Berkeley, CA	John Wiley & Sons, Inc.
FAN581DYW041 001		Child Psychology 3e	16 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word "more" while sitting on a blanket in their backyard, LA, CA	John Wiley & Sons, Inc.
CHI821DYW084 001		Environment 8e	Cars line up on street near elem school to drop off children in morning	John Wiley & Sons, Inc.
CHID51DYW034 001		Lab Manual for Anatomy	Close-up of Wh boy sticking his tongue out in anger	John Wiley & Sons, Inc.
MEN191DYW005 001		Abnormal Psychology	8 mo old Japanese/Wh baby boy held by his Wh mom gets scared of Wh woman at door of home	John Wiley & Sons, Inc.
MEN121DYW020 001		Abnormal Psychology	Depressed Wh senior man sits at his kitchen table w his head resting on his hand	John Wiley & Sons, Inc.
MEN005DYW002 001		Abnormal Psychology	Wh adult son holds glass so his senior in wheelchair who has Alzheimer's can drink through straw	John Wiley & Sons, Inc.
MED301DYW006 003		Abnormal Psychology	BI f nurse wearing latex gloves administers flu shot to Wh woman at Rite Aid, SM, CA	John Wiley & Sons, Inc.
HAN341DYW035 003		Nutrition: Science	Multi-ethnic gp of children w Fetal Alcohol Syndrome poses for camera on ladder	John Wiley & Son Canada,
MEN681DYW009 003		Psychology by Kowalski	Wh m therapist listens to Wh mom & teen son during family therapy session	John Wiley & Sons, Inc.

COM361DYW163 001			Psychology by Kowalski	Costa Rican/German young man writes e-mail on his IMAC computer in his dorm room at UCSD, La Jolla, CA	John Wiley & Sons, Inc.
SPT603DYW009 001			Psychology in Action	Japanese teen girl wearing helmet, knee pads & wrist guards rides micro scooter on sidewalk near grass	John Wiley & Sons, Inc.
PEP565DYW002 001			Psychology in Action	Wh woman bites down on pen & smiles to show relaxed facial muscles	John Wiley & Sons, Inc.
PEP565DYW001 001			Psychology in Action	Wh woman bites down on pen & frowns to show tensed facial muscles	John Wiley & Sons, Inc.
398801-001	7573272-26498361	4/27/2011		Mature woman drinking alone in bed, television	John Wiley & Sons/Higher Education
879930-001	7586070-26571529	5/6/2011		Am school bus, different views (Digital Com)	John Wiley & Sons/Trade & Transportation
398801-001	7631231-26795866	6/1/2011		Mature woman drinking alone in bed, television	John Wiley & Sons/Higher Education
200028636-004	7689426-27402661	8/9/2011		Gp of men, women & children smiling, port	John Wiley & Sons/Higher Education
200028636-004	7689439-27402747	8/9/2011		Gp of men, women & children smiling, port	John Wiley & Sons/Higher Education
879930-001	7702294-27511469	8/22/2011		Am school bus, different views (Digital Com)	John Wiley & Sons/Trade & Transportation
392981-008	7715348-27621799	9/6/2011		F graduate holding degree, w arms around	John Wiley & Sons/Higher Education
392981-008	7715349-27621868	9/6/2011		F graduate holding degree, w arms around	John Wiley & Sons/Higher Education
PEP065DYW005 007			Foundations of College	Wh woman wearing red shirt pours coolant into radiator system in her car	John Wiley & Sons, Inc.
PEP065DYW005 007			Alternate Edition	Wh woman wearing red shirt pours coolant into radiator system in her car	John Wiley & Sons, Inc.
PEP065DYW005 007			Alternate Editions	Wh woman wearing red shirt pours coolant into radiator system in her car	John Wiley & Sons, Inc.
PEP065DYW005 007			Foundations of College	Wh woman wearing red shirt pours coolant into radiator system in her car	John Wiley & Sons, Inc.
MED785DYW006 001			Nutrition: Everyday	Wh f technician measures body fat of Wh woman using skin fat calipers	John Wiley & Sons, Inc.
OBS001DYW005 001			Nutrition: Everyday	Overhead view of anorexic Korean teen girl standing on bathroom scale	John Wiley & Sons, Inc.
OBS101DYW002 003			Nutrition: Everyday	Bulimic Wh woman wearing sweater vest binges in private on eclairs, chips, ice cream, cookies & candy, SM, CA	John Wiley & Sons, Inc.
TOD365DYW001 001			Nutrition: Everyday	Hisp pre-K girl wearing red shirt brushes her teeth at bathroom sink	John Wiley & Sons, Inc.
PEP565DYW002 001			Psychology in Action	Wh woman bites down on pen & smiles to show relaxed facial muscles	John Wiley & Sons, Inc.
PEP565DYW001 001			Psychology in Action	Wh woman bites down on pen & frowns to show tensed facial muscles	John Wiley & Sons, Inc.
COM361DYW228 001			Psychology in Action	Wh young man uses online chatroom to communicate over the Internet on his Mac computer at home	John Wiley & Sons, Inc.
PEP361DYW016 008			Alternate to Foundation	Blond Hisp woman sitting on bed applies cream to her thighs	John Wiley & Sons, Inc.
PEP065DYW007 001			Alternate to Foundation	Wh woman wearing purple shirt pours anti-freeze/coolant from bottle into radiator	John Wiley & Sons, Inc.
PEP565DYW002 001			Psychology Around	Wh woman bites down on pen & smiles to show relaxed facial muscles	John Wiley & Sons, Inc.
PEP565DYW001 001			Psychology Around	Wh woman bites down on pen & frowns to show tensed facial muscles	John Wiley & Sons, Inc.
FAM581DYW041 001			Psychology Around	16 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word "more" while sitting on a blanket in their backyard, LA, CA	John Wiley & Sons, Inc.

AWD201DYYW049 001			Psychology Around	Japanese/Wh girl places star on chart in elem school classroom, CA	John Wiley & Sons, Inc.
YNG725DYW037 001			Personality	Wh young man looks at book while exploring interesting section of UCSD library, La Jolla, CA	John Wiley & Sons, Inc.
YNG571DYW037 001			Personality	Wh young man introduces himself to Hisp young woman at party	John Wiley & Sons, Inc.
PEP565DYW002 001			Psychology Around	Wh woman bites down on pen & smiles to show relaxed facial muscles	John Wiley & Sons, Inc.
PEP565DYW001 001			Psychology Around	Wh woman bites down on pen & frowns to show tensed facial muscles	John Wiley & Sons, Inc.
FAM581DYW041 001			Psychology Around	16 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word "more" while sitting on a blanket in their backyard, LA, CA	John Wiley & Sons, Inc.
AWD201DYYW049 001			Psychology Around	Japanese/Wh girl places star on chart in elem school classroom, CA	John Wiley & Sons, Inc.
PEP565DYW002 001			Psychology Around	Wh woman bites down on pen & smiles to show relaxed facial muscles	John Wiley & Son Canada,
PEP565DYW001 001			Psychology Around	Wh woman bites down on pen & frowns to show tensed facial muscles	John Wiley & Son Canada,
FAM581DYW041 001			Psychology Around	16 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word "more" while sitting on a blanket in their backyard, LA, CA	John Wiley & Son Canada,
AWD201DYYW049 001			Psychology Around	Japanese/Wh girl places star on chart in elem school classroom, CA	John Wiley & Son Canada,

EXHIBIT 2

EXHIBIT 2

MEN681DYW041 001	"Gesturing Wh middle-aged f family therapist counsels Wh couple & their sulking 13 yr old daughter & 10 yr old son sitting on a couch in her office, SM, CA"	VAu001001898	• <i>Clinical Psychology</i>
MED785DYW075 001	"Wh m technician instructs Wh man settling into Bod Pod before beginning weighing procedure, Cal State Long Beach, LB, CA"	VAu000610112	• <i>Visualizing Nutrition</i>
AWD201DYW049 001	"Japanese/Wh girl places star on chart in elem school classroom, CA"	VAu000688623	• <i>Psychology Around Us</i>
CHS121DYW096 001	"Empty K classroom w children's books & school supplies arranged on shelf"	VAu000653759	• <i>Visualizing Elementary</i>
TEN115DYW038 001	"15 yr old Fijian boy wearing sunglasses, 15 yr old Bl girl w braided hair & 15 yr old Wh girl prepare to buy beverage from vending machine on school campus, SM, CA"	VAu001001898	• <i>Visualizing Nutrition</i>

EXHIBIT 2

<u>Image No.</u>	<u>Image Caption</u>	<u>Registration No.</u>	<u>Infringing Publications</u>
FAM581DYW041 001	"16 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word 'more' while sitting on a blanket in their backyard, LA, CA"	VAu000677325	<ul style="list-style-type: none"> • <i>Visualizing Psychology</i>, 1e • <i>Visualizing Psychology</i>, 2e • <i>Visualizing Psychology</i>, 3e • <i>Psychology in Action</i>, 7e • <i>Psychology in Action</i>, 8e • <i>Psychology in Action</i>, 9e • <i>Psychology in Action</i>, 10e
MEN751DYW066 001	"Wh f therapist talks to irritated Wh young man during therapy session in her office, Santa Barbara, CA"	VAu000671928	<ul style="list-style-type: none"> • <i>Visualizing Psychology</i>, 1e • <i>Visualizing Psychology</i>, 2e • <i>Visualizing Psychology</i>, 3e • <i>Psychology in Action</i>, 7e • <i>Psychology in Action</i>, 8e • <i>Psychology in Action</i>, 9e • <i>Psychology in Action</i>, 10e
CHI051DYW034 001	"Cultry-haired, angry Wh boy arguing w his friend sticks out his tongue"	VAu000653759	<ul style="list-style-type: none"> • <i>Anatomy</i>
COM361DYW228 001	"Wh young man uses online chatroom to communicate over the Internet on his Mac computer at home"	VAu000603428	<ul style="list-style-type: none"> • <i>Psychology in Action</i>, 7e • <i>Psychology in Action</i>, 8e • <i>Psychology in Action</i>, 9e • <i>Psychology in Action</i>, 10e
MUS401DYW095 001	"Wh drum major leads Cal marching band across field before football game, UC Berkeley, CA"	VAu000653759	<ul style="list-style-type: none"> • <i>College Algebra</i>, 1e • <i>College Algebra</i>, 2e • <i>Precalculus</i>, 1e

EXHIBIT 2

MEN191DYW005 001	"8 mo old Japanese/Wh baby boy held by his Wh mom gets scared of Wh woman at door of home"	VAu000668441	<ul style="list-style-type: none"> • <i>Abnormal Psychology</i>, 9e • <i>Abnormal Psychology</i>, 10e • <i>Abnormal Psychology</i>, 11e • <i>Abnormal Psychology</i>, 12e
865025-002	"Woman comparing breakfast cereals in grocery st"	VAu000603428	
200167101-002	"Mature businesswoman at construction site"	VAu000653759	
CHI361DYW045 001	"7 yr old Japanese/Wh identical twin sisters, unsure what to wear, look at their reflections in mirror while holding colorful clothes, SM, CA"	VAu000726501	<ul style="list-style-type: none"> • <i>Early Childhood</i>
BAB521DYW025 001	"8 mo old Japanese/Wh baby boy looks at bright yellow ball w holes while sitting on brick floor in yard outside"	VAu000668441	<ul style="list-style-type: none"> • <i>Early Childhood</i>
HAN321DYW026 001	"16 mo old Japanese/Wh toddler boy imitates his Wh mom signing the word 'more' while sitting on a blanket in their backyard, LA, CA"	VAu000677325	<ul style="list-style-type: none"> • <i>Early Childhood</i>
868110-001	"Group portrait of teenagers (16-18) holding sch"	VAu000424546	

EXHIBIT 3

Confidential and for settlement
purposes only-

This information may only be shared with
your counsel on a need to know basis

FAMILY_DESC_EDITION	Print Limits	VU Photos	Photo Costs	Printed textbooks	First Print	Textbook
					Run Textbooks	Sales Units
ALLEN LAB MANUAL (2)	40,000	27	\$ 2,093	66,869	12,722	58,651
BERAN CHEMISTRY (6)	15,000	2	\$ 190	46,226	7,912	38,689
BERAN CHEMISTRY (7)	10,000	2	\$ 169	50,043	10,080	43,601
BOYER BIOCHEM (3)	20,000	18	\$ 1,646	30,484	7,170	25,640
BRADY CHEMISTRY (3)	20,000	2	\$ 270	209,127	14,896	81,458
BROWN ORGANIC CHEMISTRY (3)	30,000	1	\$ 203	52,700	5,832	48,323
CUTNELL PHYSICS (5)	50,000	1	\$ 160	203,688	44,450	162,679
GROSVENOR NUTRITION (1)	40,000	18	\$ 1,215	47,687	9,805	24,613
HALLIDAY PHYSICS (6)	100,000	2	\$ 334	627,639	26,116	577,152
HALLIDAY PHYSICS (8)	100,000	1	\$ 179	429,269	19,276	294,803
HEIN CHEMISTRY (11)	65,000	10	\$ 810	80,279	9,874	65,756
HEIN CHEMISTRY (12)	50,000	10	\$ 888	80,362	10,296	63,894
HOLUM CHEMISTRY (6)	15,000	1	\$ 109	36,674	15,319	31,838
HUFFMAN PSYCHOLOGY (6)	25,000	2	\$ 540	80,094	20,024	60,465
HUFFMAN PSYCHOLOGY (7)	40,000	3	\$ 203	103,848	33,872	82,047
HUFFMAN PSYCHOLOGY (8)	75,000	3	\$ 203	89,823	29,715	69,822
KARP CELL (4)	40,000	30	\$ 1,769	58,089	15,389	46,937
KARP CELL (5)	40,000	16	\$ 1,311	66,310	19,784	51,069
KOWALSKI PSYCHOLOGY (4)	20,000	1	\$ 162	26,794	12,448	18,774
MALONE CHEMISTRY (6)	20,000	1	\$ 135	34,321	10,120	26,844
MARSH LANDSCAPE (4)	5,000	1	\$ 135	7,788	5,229	6,441
PERVIN PERSONALITY (9)	20,000	1	\$ 114	29,931	6,012	20,758
PRATT ESSENTIAL BIOCHEMISTRY (1)	30,000	18	\$ 1,847	31,254	10,206	21,468
PRUITT BIOINQUIRY (3)	15,000	130	\$ 8,279	22,418	12,688	14,064
RAVEN ENVIRONMENT (4)	30,000	18	\$ 743	46,284	15,150	36,615
SOLOMONS ORGANIC (10)	40,000	2	\$ 278	58,868	10,068	29,262
SOLOMONS ORGANIC (8)	40,000	2	\$ 174	137,434	26,867	116,148
SOLOMONS ORGANIC (9)	40,000	1	\$ 81	114,453	19,440	69,927
STRAHLER SCIENCE (2)	15,000	1	\$ 135	28,127	9,900	21,492
TORTORA IHB (6)	30,000	13	\$ 1,283	62,804	9,776	50,900
TORTORA IHB (7)	40,000	2	\$ 135	59,609	13,818	49,915
TORTORA PAP (10)	100,000	35	\$ 2,850	364,943	57,481	337,882
TORTORA PAP (11)	100,000	20	\$ 2,325	353,794	66,091	318,093
TORTORA PHA (10)	40,000	26	\$ 2,565	51,533	16,340	40,288
TORTORA PHA (2)	30,000	6	\$ 1,215	53,511	14,674	44,707
TORTORA PHA (9)	42,000	22	\$ 1,985	53,912	19,988	41,675
TREFIL PHYSICS (1)	10,000	5	\$ 675	20,502	9,889	13,485
VOET BIOCHEMISTRY (3)	40,000	22	\$ 1,256	89,338	7,036	69,997
VOET FUNDAMENTALS BIOCHEMISTRY (2)	40,000	16	\$ 1,134	57,708	14,527	39,393
TORTORA PAP (12)	100,000	15	\$ 3,021	315,277	44,762	277,328

EXHIBIT 4

Mail

Calendar

Contacts

Deleted Items (2)

Drafts (1)

Inbox (2420)

Junk E-Mail

Sent Items

Click to view all folders

Manage Folders...

Reply

Reply to All

Forward

Move

Delete

Close

Photo permission request

Newman, Hilary - Hoboken

You replied on 11/2/2010 7:48 AM.

Sent: Tuesday, November 02, 2010 7:45 AM**To:** louie@ouiep@aol.com**Cc:** katie.walker@gettyimages.com

It has just been brought to my attention that due to an administrative oversight permission was not secured for your photo of "Dr. William Dement holding a narcoleptic dog that is awake and Dr. William Dement holding a narcoleptic dog that is asleep" in 3 Huffman titles. I am extremely sorry for this oversight. A button for the purchase order to be sent was not checked off and the error was unfortunately not caught sooner.

The titles involved are:

PSYCHOLOGY IN ACTION 8e by Karen Huffman

PSYCHOLOGY IN ACTION 9e by Karen Huffman

VISUALIZING PSYCHOLOGY, 1e by Siri Carpenter & Karen Huffman (Permission secured with Science Faction.)

VISUALIZING PSYCHOLOGY, 2e by Siri Carpenter & Karen Huffman

In all cases the image was used $\frac{1}{4}$ page. World English rights would have been needed for print and electronic usage with estimated print runs under 100,000. The image had been picked up from Huffman's Living Psychology, 1e., and I guess when the data transferred over from one list to the other, the purchase order checkmark was dropped.

We usually purchase your photos from Getty and I noticed that they have a very similar photo on their website. Moving forward for all upcoming editions, we plan to use the Getty photo because they are one of our preferred vendors. Would it be possible for them to grant us the license retroactively? Cc'ing Katie Walker, our Getty rep., on this email to see if that might be a possibility and one that is agreeable with you as well.

I am a very big fan of your work and I deeply regret having to have to contact you for this reason. Usually, our department is very careful with permissions, as Katie can attest, but as in this case shows, mistakes do happen on occasion and we try to rectify them as soon as possible.

I will give you a call about this matter as well.

Many thanks for your help.

Best-
Hilary

Hilary Newman
Manager, Photo Department
Creative Services
John Wiley & Sons
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Tel: 201-748-6733
Fax: 201-748-6664
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Maria A. Danzilo
Legal Director

CONFIDENTIAL AND FOR SETTLEMENT PURPOSES ONLY.

December 16, 2010

Dan Nelson
Nelson & McCulloch LLP
The Chrysler Building
405 Lexington Avenue
26th Floor
New York, NY 10174

RE: Louis Psihoyos

Dear Mr. Nelson,

This is in response to your letter of November 2, 2010 and will follow up on my email dated December 2, 2010.

As you are aware, we discovered that two Louis Psihoyos photographs (William Dement holding narcoleptic dog awake and asleep) were used in three of our publications without permission. We contacted Mr. Psihoyos for permission on November 2nd, 2010, a day after our discovery. The titles involved are **Psychology In Action** 8e and 9e by Karen Huffman and **Visualizing Psychology**, 2e by Siri Carpenter & Karen Huffman.

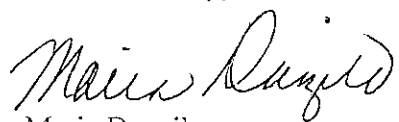
Upon your request for detail of all Psihoyos photos in our titles, we discovered that we did not receive an invoice for two photographs that were used in Merali, **Visualizing Earth Science**, 1e. The photographs are of the Dinamation exhibit at the Museum of Natural History, Cincinnati, OH, and of an 8-foot long nesting dinosaur wrapped around at least 20 eggs. A purchase order had been sent to Mr. Psihoyos for use of these photos, but we did not hear back from Mr. Psihoyos.

Further detail on all uses we were able to identify of photographs by Mr. Psihoyos in Wiley publications is attached.

We regret these inadvertent oversights and we are prepared to pay a reasonable retroactive license fee for all uses beyond what is licensed. Wiley admires greatly Mr. Psihoyos' work and would like to continue to purchase his imagery in the future. I look forward to hearing from you

at your earliest convenience to discuss this matter. This letter is without prejudice to any of our rights, all of which are reserved.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Maria Danzilo".

Maria Danzilo

MD/tg

Enclosure

CONFIDENTIAL AND PRIVILEGED FOR SETTLEMENT PURPOSES ONLY.

RE: Louis Psihoyos photographs

Background

On November 1, 2010 we discovered, that two of Louis Psihoyos' photos (William Dement holding narcoleptic dog awake and asleep) were used in three of the following publications without permission. We contacted the photographer on November 2, 2010, to rectify the situation in accordance with industry practice. Mr. Psihoyos engaged his counsel to respond to our letter to him, and in response to counsel's letter, we prepared the following information:

- The photos were first licensed for **Living Psychology** 1e, by Karen Huffman, ©2006.
(Note: Licensed 2/19/04 from Louis Psihoyos. Rights granted: North American, 40,000, plus e-book.)

Living Psychology, pub 12/21/2004 – printed 27681

Book Blocks — printed 1550

BRV - printed 503

Comp Version – printed 2840

- The photos were then picked up for **Psychology In Action**, 8e, by Karen Huffman, ©2006. Inadvertently, the purchase order check box in our database system was not checked off and as a result the standard permission request was not sent to the photographer.

Huffman 8e – pub 12/14/05 – total printed 70,998

Huffman 8e BRV - 7/6/06 - total printed 4, 687

- The photos were reused in **Psychology In Action**, 9e., by Karen Huffman, ©2009. Inadvertently, the purchase order check box in our database system was not checked off and as a result the standard permission request was not sent to the photographer.

Huffman 9e pub 11/04/08 - printed 49,613

Huffman 9e BRV – pub – 11/12/08 –printed 19,031

Huffman Book blocks – pub 11/04/08 –printed - 13,042

- The photos were reused in **Visualizing Psychology**, 1e, by Siri Carpenter and Karen Huffman, ©2008. Wiley paid Science Faction for this permission. Image licensed 1/31/2007.

(Note: Rights granted from Science Faction on 1/31/2007 for USA and Canada, up to 40,000, "inside" and "ancillary", which includes e-book/web. Duration of license is until 1/29/2014.)

Visualizing Psychology, 1e- pub 1/9/07 – printed – 36,202

Visualizing Psychology, 1e BRV - pub – 12/13/07 - printed 7298

- The photos were reused in **Visualizing Psychology**, 2e, by Siri Carpenter & Karen Huffman, © 2010. A purchase order was sent to Louie Psihoyos, but Wiley never received a response.

The purchase order requested "main text and eBook/web/all manner of media/includes ISV/life of the edition".

Visualizing Psychology, 2e - pub 10/5/09 - total printed - 15,737
Visualizing Psychology, 2e BRV- pub- 10/7/09 -- bound 6300
Visualizing Psychology, 2e Book blocks -- printed 3325

Other Photos

Two Psihoyos photos were used in Merali, Visualizing, 1e. The photos are "Dinamation exhibit at the Museum of Natural History, Cincinnati, OH" and "8-foot long nesting dinosaur wrapped around at least 20 eggs". A purchase order was sent to Psihoyos, but we never received a response. The purchase order requested "main text and eBook/web/ 40,000 print run. We did not exceed this print run.

Merali, **Visualizing Earth Science**, 1e- Pub 12/12/08- printed 8584
Merali BRV- Pub 9/15/09- printed 3225
Merali Book block- 950

- Three Psihoyos' photos were used in Murck, **Geology Today**, 1e, ©1999. These photos were licensed by Matrix on 11/20/98. Matrix is now out of business. Our database shows payment was made to Matrix for the uses of all three photos-- \$1400 on 11/20/1998. The print run was not exceeded.

We also cleared permission for an image manager CD to accompany Murck, **Geology Today**, 1e, and we requested North American language rights with print runs under 2500. Only one Psihoyos' image was planned to be used on the CD (8-foot long nesting dinosaur wrapped around at least 20 eggs) and we paid Matrix \$75 for this usage. The photo was not used in the CD.

Murck, **Geology Today**, 1e- Pub 12/8/98- printed 18,821

- Two photos (Dinamation exhibit at the Museum of Natural History, Cincinnati, OH, and 8-foot long nesting dinosaur wrapped around at least 20 eggs) were picked up for Murck, **Visualizing Geography**, 1e, ©2007. Permission granted through Science Faction. Licensed 1/31/2007. (Note: Rights granted up to 40,000, USA territory, print and ancillary. We had requested North American rights with estimated print run under 40,000, main text and e-book/web. License is up to seven years. Expires 1/29/2014.) Also used was a photo of fossilized dinosaur tracks, but the image came from NGS and permission was secured through them.

Murck, **Visualizing Geology**, 1e- Pub 1/16/07- printed 21739
Murck, **Visualizing BRV**, 1e- Pub 1/3/08- printed 1067

- Three photos (Dinamation exhibit at the Museum of Natural History, Cincinnati, OH; 8-foot long nesting dinosaur wrapped around at least 20 eggs; Fossilized dinosaur tracks) were reused in Murck – **Visualizing Geography** 2e, ©2009. Permission granted by Science Faction. We did not exceed the print run.

(Note: Rights granted for print and electronic, worldwide. Doesn't state print run on invoice but we requested World English rights with estimated print runs under 40,000. License is for 7 years. Expires 3/23/2016.)

Murck, **Visualizing Geography**, 2e- Pub 2/5/09- printed 10,279
Murck, **Visualizing BRV**- Pub 2/5/09- printed 2623.

- Two photos were picked up for Merali – **Visualizing Earth Science** 1e., ©2009. (Dinamation exhibit at the Museum of Natural History, Cincinnati, OH, and 8-foot long nesting dinosaur wrapped around at least 20 eggs) and were not licensed. Purchase order was sent to Louis Psihoyos but we received no response. We licensed the fossilized dinosaur tracks photo from NGS on 12/30/2008.

Merali, **Visualizing Earth Science**, 1e- Pub 12/12/08- printed 8584
Merali, **Visualizing BRV**- Pub 12/29/08- printed 1597

We requested world English language rights with estimated print runs under 40,000 for print and e-book/web. We did not exceed the print run.

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WILEY

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Maria A. Danzilo
Legal Director

CONFIDENTIAL AND FOR SETTLEMENT PURPOSES ONLY.

December 16, 2010

Dan Nelson
Nelson & McCulloch LLP
The Chrysler Building
405 Lexington Avenue
26th Floor
New York, NY 10174

RE: Science Factions

Dear Mr. Nelson,

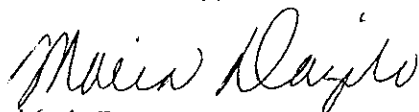
This is in response to your letter of November 2, 2010 and will follow up on my email dated December 2, 2010.

Attached is the audit report requested in by your letter. As you will see, all photos that we have been able to identify from Science Faction have been used within the scope of licenses granted by Science Faction, with the exception of one photo that was used in Cutnell, Physics, 8e. The license was for 100,000 units, and our records show 127,376 copies were printed.

We regret that this oversight has occurred, and we are prepared to pay a reasonable retroactive license fee based upon the earlier license fee for this title. We have a preferred vendor agreement in place with Science Faction, and would like to continue to expand our business with them.

I look forward to hearing from you at your earliest convenience to discuss this matter. This letter is without prejudice to any of our rights, all of which are reserved.

Yours sincerely,


Maria Danzilo

MD/tg

Enclosure

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RE: Science Factions

Wiley's photo programs with Science Faction Images

- Babcock, **Visualizing Earth History**, 1e- 2 photos used. Licensed 11/3/2008.

(Note: Rights granted for book and electronic use up to 40,000, for 5 years. Expires 11/2/2013.)
Babcock, **Visualizing Earth History**, 1e, Pub 10/6/08- printed 7126
Babcock, **Visualizing BRV**, Pub 10/6/08- printed 1641

- Black, **Microbiology**, 7e - 1 photo used- Licensed 9/28/2007

(Note: Rights granted for book and electronic use up to 100,000. Invoice actually says 10K, but it's a typo. License fees for a 100k print run were paid in accordance with the Science Faction agreement in place at that time. License is for 7 years. Expires 9/26/2007. Thus this is a typo and a corrected license will be obtained.)

Black, **Microbiology**, 7e - Pub 12/11/07 - printed 34,943
Black, **Microbiology BRV** - Pub 12/14/07 - printed 11,147
Black, **Microbiology**, 7e, ISV - Pub 2/25/08 - printed 13,720

- Cutnell, **PHYSICS**, 8e- 1 photo used- Licensed 11/3/2008

(Note: Rights granted for book and electronic use worldwide up to 100,000 for five years. Expires 11/2/2013.)

Cutnell, **PHYSICS**, 8e- Pub 12/17/08- printed 42,353
Cutnell, **BRV**- Pub 12/18/08- printed 22,385
Cutnell, **V1**- Pub 10/20/08- printed 27,829
Cutnell, **V2**- Pub 1/5/09- printed 14,809
Cutnell, **ISV**- Pub 3/31/09- printed 20,000

Print run exceeded (Total 127,376)

- Murck, **Visualizing Geology**, 2e. - 3 photos used. - Licensed 3/25/2009.

(Note: Rights granted for print and electronic, worldwide. Doesn't state print run on invoice but we requested World English rights with estimated print runs under 40,000. License is for 7 years. Expires 3/23/2016.)

Murck, **Visualizing Geography**, 2e- Pub 2/5/09- printed 10,279
Murck, **Visualizing BRV**- Pub 2/5/09- printed 2623.

Murck, **Visualizing Geology**, 1e - 2 photos used. Licensed 1/31/2007

(Note: Rights granted up to 40,000, USA territory, print and ancillary. We had requested North American rights with estimated print run under 40,000, main text and e-book/web. License is up to seven years. Expires 1/29/2014.)

Murck, **Visualizing Geology**, 1e- Pub 1/16/07 (OP 3/21010) - printed 21,739
Murck, **Visualizing BRV**- Pub 1/3/08 (OP 3/2010) - printed 1067

•Raven, **Environment**, 7e- 1 photo used. Licensed 6/29/09.

(Note: Rights granted print and electronic, main text e-book/web, worldwide, up to 7 years. Expires 6/27/2016.)

Raven, **Environment**, 7e- Pub 9/15/09- printed 21,024

Raven, **BRV**- Pub 9/15/09- printed 3225

From: [Aggarwal, Ashima - Hoboken](#)
To: [Kevin P. McCulloch](#)
Cc: dnelson@nelsonmcculloch.com; [Barker, Joseph - Hoboken](#)
Subject: RE: Psihoyos case
Date: Monday, June 27, 2011 10:20:39 AM

Kevin,

As requested, Wiley will stipulate to the following:

1. Unauthorized copying of the Narcoleptic Dog Awake and Asleep photographs in these books: Visualizing Psychology, 2e; Psychology in Action, 8E; and Psychology in Action 9E.
2. Unauthorized copying of Dinamation exhibit and 8 foot long nesting dinosaur wrapped around eggs in Visualizing Earth Science, 1e.
3. Printing units in excess of the print runs designated in the licenses for Physics, 8E (Enormous Triceratops Skeleton) and Visualizing Psychology 1E (Narcoleptic Dog awake and asleep).

I cannot stipulate to Mr. Psihoyos's ownership of a valid copyright in any of the photographs referenced above. I have reviewed the discovery provided and understand that more discovery is scheduled to arrive at our office today. I will review and advise if Wiley will change its position on this.

Regards,
Ashima

Ashima Aggarwal
Attorney
John Wiley & Sons, Inc.
111 River Street
Hoboken, NJ 07030-5774
Phone: (201) 748-6446
Fax: (201) 748-6500
Email: aaggarwa@wiley.com

This message and any files transmitted with it may contain privileged, confidential and/or proprietary information. It is intended solely for the individual or entity named above. Unauthorized use of these materials is strictly prohibited. If you have received this message in error, please immediately contact the sender by replying to this message and delete the original message. Thank you.

From: Kevin P. McCulloch [<mailto:kmcculloch@nelsonmcculloch.com>]
Sent: Tuesday, June 07, 2011 5:49 PM
To: Aggarwal, Ashima - Hoboken; Barker, Joseph - Hoboken
Cc: dnelson@nelsonmcculloch.com; 'Kevin P. McCulloch'
Subject: RE: Psihoyos/Cole cases

Counsel,

Because we were unable to reach a settlement in the Psihoyos case, I am writing to follow up on the issue I raised in my email below. Please see the attached correspondence.

Regards,

Kevin P. McCulloch

Attorney at Law
Nelson & McCulloch LLP
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405 Lexington Avenue, 26th Floor
New York, New York 10174

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Direct: (646) 704-2278

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kmcculloch@nelsonmcculloch.com

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From: Kevin P. McCulloch [<mailto:kmcculloch@nelsonmcculloch.com>]

Sent: Friday, May 20, 2011 12:49 PM

To: 'Aggarwal, Ashima - Hoboken'; 'Barker, Joseph - Hoboken'

Cc: 'dnelson@nelsonmcculloch.com'

Subject: Psihoyos/Cole cases

Counsel

I am writing to see whether Wiley is willing to discuss settlement of the claims asserted in both the Psihoyos and Cole cases. In both cases, Wiley's liability is evident, so we see no reason to continue to devote unnecessary time and resources to these matters if we can reach a settlement. Please let us know.

If Wiley is not interested in discussing settlement or we cannot reach a mutually agreeable settlement, we would request that Wiley immediately accept and acknowledge liability in both actions so that we do not need to devote any further time and resources litigating that

issue and instead can proceed directly to the damages inquiry.

We are available to discuss these matters at your convenience.

Regards,

Kevin P. McCulloch

Attorney at Law

Nelson & McCulloch LLP

The Chrysler Building

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New York, New York 10174

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Direct: (646) 704-2278

Fax: (646) 308-1178

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EXHIBIT 5

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E-MAIL mdanzilo@wiley.com

Maria A. Danzilo
Legal Director

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December 16, 2010

Dan Nelson
Nelson & McCulloch LLP
The Chrysler Building
405 Lexington Avenue
26th Floor
New York, NY 10174

RE: Louis Psihoyos

Dear Mr. Nelson,

This is in response to your letter of November 2, 2010 and will follow up on my email dated December 2, 2010.

As you are aware, we discovered that two Louis Psihoyos photographs (William Dement holding narcoleptic dog awake and asleep) were used in three of our publications without permission. We contacted Mr. Psihoyos for permission on November 2nd, 2010, a day after our discovery. The titles involved are **Psychology In Action** 8e and 9e by Karen Huffman and **Visualizing Psychology**, 2e by Siri Carpenter & Karen Huffman.

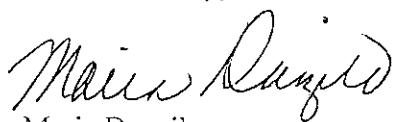
Upon your request for detail of all Psihoyos photos in our titles, we discovered that we did not receive an invoice for two photographs that were used in Merali, **Visualizing Earth Science**, 1e. The photographs are of the Dinamation exhibit at the Museum of Natural History, Cincinnati, OH, and of an 8-foot long nesting dinosaur wrapped around at least 20 eggs. A purchase order had been sent to Mr. Psihoyos for use of these photos, but we did not hear back from Mr. Psihoyos.

Further detail on all uses we were able to identify of photographs by Mr. Psihoyos in Wiley publications is attached.

We regret these inadvertent oversights and we are prepared to pay a reasonable retroactive license fee for all uses beyond what is licensed. Wiley admires greatly Mr. Psihoyos' work and would like to continue to purchase his imagery in the future. I look forward to hearing from you

at your earliest convenience to discuss this matter. This letter is without prejudice to any of our rights, all of which are reserved.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Maria Danzilo".

Maria Danzilo

MD/tg

Enclosure

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RE: Louis Psihoyos photographs

Background

On November 1, 2010 we discovered, that two of Louis Psihoyos' photos (William Dement holding narcoleptic dog awake and asleep) were used in three of the following publications without permission. We contacted the photographer on November 2, 2010, to rectify the situation in accordance with industry practice. Mr. Psihoyos engaged his counsel to respond to our letter to him, and in response to counsel's letter, we prepared the following information:

- The photos were first licensed for **Living Psychology** 1e, by Karen Huffman, ©2006.
(Note: Licensed 2/19/04 from Louis Psihoyos. Rights granted: North American, 40,000, plus e-book.)

Living Psychology, pub 12/21/2004 – printed 27681

Book Blocks — printed 1550

BRV - printed 503

Comp Version – printed 2840

- The photos were then picked up for **Psychology In Action**, 8e, by Karen Huffman, ©2006. Inadvertently, the purchase order check box in our database system was not checked off and as a result the standard permission request was not sent to the photographer.

Huffman 8e – pub 12/14/05 – total printed 70,998

Huffman 8e BRV - 7/6/06 - total printed 4, 687

- The photos were reused in **Psychology In Action**, 9e., by Karen Huffman, ©2009. Inadvertently, the purchase order check box in our database system was not checked off and as a result the standard permission request was not sent to the photographer.

Huffman 9e pub 11/04/08 - printed 49,613

Huffman 9e BRV – pub – 11/12/08 –printed 19,031

Huffman Book blocks – pub 11/04/08 –printed - 13,042

- The photos were reused in **Visualizing Psychology**, 1e, by Siri Carpenter and Karen Huffman, ©2008. Wiley paid Science Faction for this permission. Image licensed 1/31/2007.

(Note: Rights granted from Science Faction on 1/31/2007 for USA and Canada, up to 40,000, "inside" and "ancillary", which includes e-book/web. Duration of license is until 1/29/2014.)

Visualizing Psychology, 1e- pub 1/9/07 – printed – 36,202

Visualizing Psychology, 1e BRV - pub – 12/13/07 - printed 7298

- The photos were reused in **Visualizing Psychology**, 2e, by Siri Carpenter & Karen Huffman, © 2010. A purchase order was sent to Louie Psihoyos, but Wiley never received a response.

The purchase order requested "main text and eBook/web/all manner of media/includes ISV/life of the edition".

Visualizing Psychology, 2e - pub 10/5/09 - total printed - 15,737
Visualizing Psychology, 2e BRV- pub- 10/7/09 -- bound 6300
Visualizing Psychology, 2e Book blocks -- printed 3325

Other Photos

Two Psihoyos photos were used in Merali, Visualizing, 1e. The photos are "Dinamation exhibit at the Museum of Natural History, Cincinnati, OH" and "8-foot long nesting dinosaur wrapped around at least 20 eggs". A purchase order was sent to Psihoyos, but we never received a response. The purchase order requested "main text and eBook/web/ 40,000 print run. We did not exceed this print run.

Merali, **Visualizing Earth Science**, 1e- Pub 12/12/08- printed 8584
Merali BRV- Pub 9/15/09- printed 3225
Merali Book block- 950

- Three Psihoyos' photos were used in Murck, **Geology Today**, 1e, ©1999. These photos were licensed by Matrix on 11/20/98. Matrix is now out of business. Our database shows payment was made to Matrix for the uses of all three photos-- \$1400 on 11/20/1998. The print run was not exceeded.

We also cleared permission for an image manager CD to accompany Murck, **Geology Today**, 1e, and we requested North American language rights with print runs under 2500. Only one Psihoyos' image was planned to be used on the CD (8-foot long nesting dinosaur wrapped around at least 20 eggs) and we paid Matrix \$75 for this usage. The photo was not used in the CD.

Murck, **Geology Today**, 1e- Pub 12/8/98- printed 18,821

- Two photos (Dinamation exhibit at the Museum of Natural History, Cincinnati, OH, and 8-foot long nesting dinosaur wrapped around at least 20 eggs) were picked up for Murck, **Visualizing Geography**, 1e, ©2007. Permission granted through Science Faction. Licensed 1/31/2007. (Note: Rights granted up to 40,000, USA territory, print and ancillary. We had requested North American rights with estimated print run under 40,000, main text and e-book/web. License is up to seven years. Expires 1/29/2014.) Also used was a photo of fossilized dinosaur tracks, but the image came from NGS and permission was secured through them.

Murck, **Visualizing Geology**, 1e- Pub 1/16/07- printed 21739
Murck, **Visualizing BRV**, 1e- Pub 1/3/08- printed 1067

- Three photos (Dinamation exhibit at the Museum of Natural History, Cincinnati, OH; 8-foot long nesting dinosaur wrapped around at least 20 eggs; Fossilized dinosaur tracks) were reused in Murck – **Visualizing Geography** 2e, ©2009. Permission granted by Science Faction. We did not exceed the print run.

(Note: Rights granted for print and electronic, worldwide. Doesn't state print run on invoice but we requested World English rights with estimated print runs under 40,000. License is for 7 years. Expires 3/23/2016.)

Murck, **Visualizing Geography**, 2e- Pub 2/5/09- printed 10,279
Murck, **Visualizing BRV**- Pub 2/5/09- printed 2623.

- Two photos were picked up for Merali – **Visualizing Earth Science** 1e., ©2009. (Dinamation exhibit at the Museum of Natural History, Cincinnati, OH, and 8-foot long nesting dinosaur wrapped around at least 20 eggs) and were not licensed. Purchase order was sent to Louis Psihoyos but we received no response. We licensed the fossilized dinosaur tracks photo from NGS on 12/30/2008.

Merali, **Visualizing Earth Science**, 1e- Pub 12/12/08- printed 8584
Merali, **Visualizing BRV**- Pub 12/29/08- printed 1597

We requested world English language rights with estimated print runs under 40,000 for print and e-book/web. We did not exceed the print run.

EXHIBIT 6

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WILEY

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E-MAIL mdanzilo@wiley.com

Maria A. Danzilo
Legal Director

CONFIDENTIAL AND FOR SETTLEMENT PURPOSES ONLY.

December 16, 2010

Dan Nelson
Nelson & McCulloch LLP
The Chrysler Building
405 Lexington Avenue
26th Floor
New York, NY 10174

RE: Science Factions

Dear Mr. Nelson,

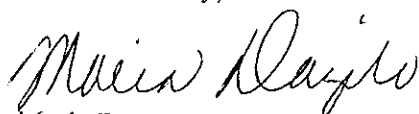
This is in response to your letter of November 2, 2010 and will follow up on my email dated December 2, 2010.

Attached is the audit report requested in by your letter. As you will see, all photos that we have been able to identify from Science Faction have been used within the scope of licenses granted by Science Faction, with the exception of one photo that was used in Cutnell, Physics, 8e. The license was for 100,000 units, and our records show 127,376 copies were printed.

We regret that this oversight has occurred, and we are prepared to pay a reasonable retroactive license fee based upon the earlier license fee for this title. We have a preferred vendor agreement in place with Science Faction, and would like to continue to expand our business with them.

I look forward to hearing from you at your earliest convenience to discuss this matter. This letter is without prejudice to any of our rights, all of which are reserved.

Yours sincerely,


Maria Danzilo

MD/tg

Enclosure

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RE: Science Factions

Wiley's photo programs with Science Faction Images

- Babcock, **Visualizing Earth History**, 1e- 2 photos used. Licensed 11/3/2008.

(Note: Rights granted for book and electronic use up to 40,000, for 5 years. Expires 11/2/2013.)
Babcock, **Visualizing Earth History**, 1e, Pub 10/6/08- printed 7126
Babcock, **Visualizing BRV**, Pub 10/6/08- printed 1641

- Black, **Microbiology**, 7e - 1 photo used- Licensed 9/28/2007

(Note: Rights granted for book and electronic use up to 100,000. Invoice actually says 10K, but it's a typo. License fees for a 100k print run were paid in accordance with the Science Faction agreement in place at that time. License is for 7 years. Expires 9/26/2007. Thus this is a typo and a corrected license will be obtained.)

Black, **Microbiology**, 7e - Pub 12/11/07 - printed 34,943
Black, **Microbiology BRV** - Pub 12/14/07 - printed 11,147
Black, **Microbiology**, 7e, ISV - Pub 2/25/08 - printed 13,720

- Cutnell, **PHYSICS**, 8e- 1 photo used- Licensed 11/3/2008

(Note: Rights granted for book and electronic use worldwide up to 100,000 for five years. Expires 11/2/2013.)

Cutnell, **PHYSICS**, 8e- Pub 12/17/08- printed 42,353
Cutnell, **BRV**- Pub 12/18/08- printed 22,385
Cutnell, **V1**- Pub 10/20/08- printed 27,829
Cutnell, **V2**- Pub 1/5/09- printed 14,809
Cutnell, **ISV**- Pub 3/31/09- printed 20,000

Print run exceeded (Total 127,376)

- Murck, **Visualizing Geology**, 2e. - 3 photos used. - Licensed 3/25/2009.

(Note: Rights granted for print and electronic, worldwide. Doesn't state print run on invoice but we requested World English rights with estimated print runs under 40,000. License is for 7 years. Expires 3/23/2016.)

Murck, **Visualizing Geography**, 2e- Pub 2/5/09- printed 10,279
Murck, **Visualizing BRV**- Pub 2/5/09- printed 2623.

Murck, **Visualizing Geology**, 1e - 2 photos used. Licensed 1/31/2007

(Note: Rights granted up to 40,000, USA territory, print and ancillary. We had requested North American rights with estimated print run under 40,000, main text and e-book/web. License is up to seven years. Expires 1/29/2014.)

Murck, **Visualizing Geology**, 1e- Pub 1/16/07 (OP 3/21010) - printed 21,739
Murck, **Visualizing BRV**- Pub 1/3/08 (OP 3/2010) - printed 1067

•Raven, **Environment**, 7e- 1 photo used. Licensed 6/29/09.

(Note: Rights granted print and electronic, main text e-book/web, worldwide, up to 7 years. Expires 6/27/2016.)

Raven, **Environment**, 7e- Pub 9/15/09- printed 21,024

Raven, **BRV**- Pub 9/15/09- printed 3225

EXHIBIT 7

Ashima Aggarwal
aaggarwa@wiley.com
Joseph J. Barker
jobarker@wiley.com
John Wiley & Sons, Inc.
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Telephone: (201) 748-7862
Fax: (201) 748-6500

*Attorneys for Defendant
John Wiley & Sons, Inc.*

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

LOUIS PSIHOYOS,)	Case No.: 11-CV-1416 (JSR)
)	
Plaintiff,)	Hon. Jed S. Rakoff
)	
vs.)	
)	
JOHN WILEY & SONS, INC.,)	
)	
Defendant)	

**DEFENDANT’S RESPONSES TO PLAINTIFF’S FIRST
SET OF REQUESTS FOR ADMISSIONS**

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York, John Wiley & Sons, Inc. (“Wiley”) hereby responds to the first requests for admissions (the “Admissions Requests”) served by Plaintiff Louis Psihoyos (“Plaintiff”).

PRELIMINARY STATEMENT

Wiley has not yet completed its investigation and discovery regarding the factual and legal bases of this dispute. All of the responses contained herein are based only upon information and documentation presently and specifically known to the Wiley. Accordingly, Wiley reserves the right to modify, amend, or expand upon its responses herein to reflect any additional information that is subsequently discovered.

GENERAL OBJECTIONS

The following general objections (the “General Objections”) apply to, and are hereby incorporated by reference into, each response to each of the Admissions Requests. Wiley not expressly repeating the General Objections in each response shall not be deemed a waiver thereof. Wiley’s specification of one or more objections, including any General Objections, in any given response does not preclude the applicability of any General Objection to such response.

1. Wiley objects to the Admissions Requests to the extent they purport to impose obligations of disclosure beyond those required by, or otherwise deviate from, the Federal Rules of Civil Procedure (“FRCP”) or applicable court order.

2. Wiley objects to the Admissions Requests to the extent they seek disclosure of materials prepared for or in anticipation of litigation or protected from disclosure by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, statute, regulation, rule or court order. The inadvertent production of any such protected materials shall not be deemed to be a waiver of any applicable privilege with respect to such materials or any information produced by Wiley.

3. Wiley objects to the Admissions Requests to the extent they seek materials that are not relevant to the issues of law and fact in this proceeding or are not reasonably calculated to lead to the discovery of admissible evidence.

4. Wiley objects to the Admissions Requests to the extent they are overbroad, oppressive, unduly burdensome, or irrelevant.

5. Wiley objects to the Admissions Requests to the extent they are vague, ambiguous, confusing, or incomprehensible.

6. Wiley objects to the Admissions Requests to the extent they (i) assume the truth of facts not proven or facts not in evidence, (ii) characterize facts, circumstances, claims or defenses underlying the Action, or (iii) use vague, ambiguous, undefined or argumentative terms. By making these responses and by producing documents, Wiley does not concede the accuracy of any assertions, implications or suppositions underlying the Admissions Requests or Plaintiff's filings in this proceeding.

7. Wiley neither waives nor intends to waive, but expressly reserves, any and all objections to the relevance, competence, susceptibility to discovery, materiality or admissibility of any documents produced or information provided or documents referenced in these responses.

8. Wiley objects to disclosure of any materials falling within any of these General Objections or any objections set forth below, and in the event any documents falling within one or more of such objections are produced, such production is inadvertent and shall not constitute a waiver of any objection.

9. Wiley objects to the Admissions Requests to the extent that they request information from separate entities that are not parties to this litigation.

10. Wiley reserves the right to amend, modify and supplement these responses as appropriate, including on the basis of further information acquired in Wiley's ongoing inquiry and the parties' discovery in this action. Wiley further reserves the right to introduce into evidence in this action materials in addition to the documents produced in response to the Admissions Requests.

RESPONSES TO REQUESTS

REQUEST FOR ADMISSION 1: Admit that Defendant published Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Psychology in Action*, 8e" by Karen Huffman.

Response

Admit that Wiley published photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled "*Psychology in Action*, 8e" by Karen Huffman and deny the remaining allegations in Request for Admission 1.

REQUEST FOR ADMISSION 2: Admit that Defendant never obtained a license to publish Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Psychology in Action*, 8e."

Response

Admit that Wiley did not obtain a license to publish the photographs "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Psychology in Action*, 8e" and deny the remaining allegations in Request for Admission 2.

REQUEST FOR ADMISSION 3: Admit that Defendant published Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Psychology in Action*, 8e BRV" by Karen Huffman.

Response

Admit that Wiley published photographs entitled "William Dement holding narcoleptic dog awake and asleep" in "*Psychology in Action*, 8e BRV" by Karen Huffman and deny the remaining allegations in Request for Admission 3.

REQUEST FOR ADMISSION 4: Admit that Defendant never obtained a license to publish Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Psychology in Action*, 8e BRV."

Response

Admit that Wiley did not obtain a license to publish the photographs "William Dement holding narcoleptic dog awake and asleep" in a publication referred to as "*Psychology in Action*, 8e BRV" and deny the remaining allegations in Request for Admission 4.

REQUEST FOR ADMISSION 5: Admit that Defendant published Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Psychology in Action*, 9e" by Karen Huffman.

Response

Admit that Wiley published photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled "*Psychology in Action*, 9e" by Karen Huffman and deny the remaining allegations in Request for Admission 5.

REQUEST FOR ADMISSION 6: Admit that Defendant never obtained a license to publish Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Psychology in Action*, 9e."

Response

Admit that Wiley did not obtain a license to publish the photographs "William Dement holding narcoleptic dog awake and asleep" in a publication entitled "*Psychology in Action*, 9E" and deny the remaining allegations in Request for Admission 6.

REQUEST FOR ADMISSION 7: Admit that Defendant published Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Huffman Book blocks*."

Response

Admit that Wiley published photographs entitled "William Dement holding narcoleptic dog awake and asleep" in printings of "*Huffman Psychology in Action 9E Book blocks*" and deny the remaining allegations in Request for Admission 7.

REQUEST FOR ADMISSION 8: Admit that Defendant never obtained a license to publish Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Huffman Book blocks*"

Response

Admit that Wiley did not obtain a license to publish the photographs "William Dement holding narcoleptic dog awake and asleep" in "*Huffman Psychology in Action 9E book blocks*" and deny the remaining allegations in Request for Admission 8.

REQUEST FOR ADMISSION 9: Admit that Defendant published Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Psychology in Action*, 9e BRV" by Karen Huffman.

Response

Admit that Wiley published photographs entitled "William Dement holding narcoleptic dog awake and asleep" in printings of *Psychology in Action*, 9e BRV" by Karen Huffman and deny all remaining allegations in Request for Admission 9.

REQUEST FOR ADMISSION 10: Admit that Defendant never obtained a license to publish Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Psychology in Action*, 9e BRV."

Response

Admit that Wiley did not obtain a license to publish the photographs "William Dement holding narcoleptic dog awake and asleep" in "*Psychology in Action*, 9E, BRV" and deny the remaining allegations in Request for Admission 10.

REQUEST FOR ADMISSION 11: Admit that Defendant published Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Visualizing Psychology*, 1e," by Siri Carpenter and Karen Huffman.

Response

Admit that Wiley published photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled "*Visualizing Psychology*, 1e," by Siri Carpenter and Karen Huffman and deny the remaining allegations in Request for Admission 11.

REQUEST FOR ADMISSION 12: Admit that Defendant published Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Visualizing Psychology*, 1e BRV."

Response

Admit that Wiley published photographs entitled "William Dement holding narcoleptic dog awake and asleep" in "*Visualizing Psychology*, 1e BRV" and deny the remaining allegations in Request for Admission 12.

REQUEST FOR ADMISSION 13: Admit that any license allegedly obtained from Science Faction to use Plaintiff's photographs in "*Visualizing Psychology*, 1e" and any "ancillary" materials was dated January 31, 2007.

Response

Admit that the license to use photographs by Plaintiff in *Visualizing Psychology* 1e and ancillary materials was dated January 31, 2007 and deny the remaining allegations in Request for Admission 13.

REQUEST FOR ADMISSION 14: Admit that Defendant published "*Visualizing Psychology*, 1e" and "*Visualizing Psychology*, 1e BRV" prior to January 31, 2007.

Response

Admit that Wiley published *Visualizing Psychology*, 1e" prior to January 31, 2007. Deny that Wiley published "*Visualizing Psychology*, 1e BRV" prior to January 31, 2007.

REQUEST FOR ADMISSION 15: Admit that any license allegedly obtained from Science Faction to use Plaintiff's photographs in "*Visualizing Psychology*, 1e" and any "ancillary" materials was limited to 40,000 total copies.

Response

Admit that the license from Science Faction to use the photographs "William Dement holding narcoleptic dog awake and asleep" in "*Visualizing Psychology*, 1e" and any "ancillary" materials was limited to 40,000 total copies and deny the remaining allegations set forth in Request for Admission 15.

REQUEST FOR ADMISSION 16: Admit that Defendant printed more than 40,000 total copies of "*Visualizing Psychology*, 1e" and "*Visualizing Psychology*, 1e BRV."

Response

Admit.

REQUEST FOR ADMISSION 17: Admit that Defendant published Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Visualizing Psychology*, 2e" by Siri Carpenter and Karen Huffman.

Response

Admit that Wiley published photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled "*Visualizing Psychology*, 2e," by Siri Carpenter and Karen Huffman and deny the remaining allegations set forth in Request for Admission 17.

REQUEST FOR ADMISSION 18: Admit that Defendant never obtained a license to publish Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Visualizing Psychology*, 2e."

Response

Admit that Wiley did not obtain a license to publish the photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled "*Visualizing Psychology*, 2e" and deny the remaining allegations set forth in Request for Admission 18.

REQUEST FOR ADMISSION 19: Admit that Defendant published Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Visualizing Psychology*, 2e BRV" by Siri Carpenter and Karen Huffman.

Response

Admit that Wiley published photographs "William Dement holding narcoleptic dog awake and asleep" in printings of "*Visualizing Psychology*, 2e BRV," by Siri Carpenter and Karen Huffman and deny the remaining allegations set forth in Request for Admission 19.

REQUEST FOR ADMISSION 20: Admit that Defendant never obtained a license to publish Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Visualizing Psychology*, 2e BRV."

Response

Admit that Wiley never obtained a license to publish photographs "William Dement holding narcoleptic dog awake and asleep" in printings of "*Visualizing Psychology*, 2e BRV" and deny the remaining allegations set forth in Request for Admission 20.

REQUEST FOR ADMISSION 21: Admit that Defendant published Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Visualizing Psychology*, 2e Book blocks" by Siri Carpenter and Karen Huffman.

Response

Admit that Wiley published "William Dement holding narcoleptic dog awake and asleep" in "*Visualizing Psychology*, 2e book blocks" by Siri Carpenter and Karen Huffman and deny the remaining allegations set forth in Request for Admission 21.

REQUEST FOR ADMISSION 22: Admit that Defendant never obtained a license to publish Plaintiff's photographs entitled "William Dement holding narcoleptic dog awake and asleep" in a publication entitled or referred to as "*Visualizing Psychology*, 2e Book blocks."

Response

Admit that Defendant never obtained a license to publish photographs "William Dement holding narcoleptic dog awake and asleep" in printings of "*Visualizing Psychology*, 2e Book blocks" and deny the remaining allegations set forth in Request for Admission 22.

REQUEST FOR ADMISSION 23: Admit that Defendant published Plaintiff Psihoyos' photographs entitled or referred to as "Dinamation exhibit at the Museum of Natural History, Cincinnati, OH" and "8-foot long nesting dinosaur wrapped around at least 20 eggs" in a publication entitled or referred to as "*Visualizing Earth Science*, 1e" by Merali.

Response

Admit that Wiley published the photographs "Dinamation exhibit at the Museum of Natural History, Cincinnati, OH" and "8-foot long nesting dinosaur wrapped around at least 20 eggs" in

a publication entitled “*Visualizing Earth Science*, 1e” by Merali and deny the remaining allegations set forth in Request for Admission 23.

REQUEST FOR ADMISSION 24: Admit that Defendant never obtained a license to publish Plaintiff’s photographs entitled or referred to as “Dinamation exhibit at the Museum of Natural History, Cincinnati, OH” and “8-foot long nesting dinosaur wrapped around at least 20 eggs” in a publication entitled or referred to as “*Visualizing Earth Science*, 1e.”

Response

Admit that Defendant never obtained a license to publish the photographs “Dinamation exhibit at the Museum of Natural History, Cincinnati, OH” and “8-foot long nesting dinosaur wrapped around at least 20 eggs” in the publication entitled “*Visualizing Earth Science*, 1e” and deny the remaining allegations set forth in Request for Admission 24.

REQUEST FOR ADMISSION 25: Admit that Defendant published Plaintiff Psihoyos’ photographs entitled or referred to as “Dinamation exhibit at the Museum of Natural History, Cincinnati, OH” and “8-foot long nesting dinosaur wrapped around at least 20 eggs” in a publication entitled or referred to as “*Visualizing Earth Science*, 1e BRV” by Merali.

Response

Admit that Wiley published the photographs “Dinamation exhibit at the Museum of Natural History, Cincinnati, OH” and “8-foot long nesting dinosaur wrapped around at least 20 eggs” in “*Visualizing Earth Science*, 1e BRV” by Merali and deny the remaining allegations set forth in Request for Admission 25.

REQUEST FOR ADMISSION 26: Admit that Defendant never obtained a license to publish Plaintiff's photographs "Dinamation exhibit at the Museum of Natural History, Cincinnati, OH" and "8-foot long nesting dinosaur wrapped around at least 20 eggs" in a publication entitled or referred to as "*Visualizing Earth Science*, 1e BRV."

Response

Admit that Defendant never obtained a license to publish the photographs entitled or referred to as "Dinamation exhibit at the Museum of Natural History, Cincinnati, OH" and "8-foot long nesting dinosaur wrapped around at least 20 eggs" in printings of "*Visualizing Earth Science*, 1e BRV" and deny the remaining allegations set forth in Request for Admission 26.

REQUEST FOR ADMISSION 27: Admit that Defendant published Plaintiff Psihoyos' photographs "Dinamation exhibit at the Museum of Natural History, Cincinnati, OH" and "8-foot long nesting dinosaur wrapped around at least 20 eggs" in a publication entitled or referred to as "*Visualizing Earth Science*, 1e Book blocks" by Merali.

Response

Admit that Wiley published the photographs "Dinamation exhibit at the Museum of Natural History, Cincinnati, OH" and "8-foot long nesting dinosaur wrapped around at least 20 eggs" in printings of "*Visualizing Earth Science*, 1e book blocks" by Merali and deny the remaining allegations in Request for Admission 27.

REQUEST FOR ADMISSION 28: Admit that Defendant never obtained a license to publish Plaintiff's photographs entitled or referred to as "Dinamation exhibit at the Museum of Natural History, Cincinnati, OH" and "8-foot long nesting dinosaur wrapped around at least 20 eggs" in a

publication entitled or referred to as “*Visualizing Earth Science*, 1e Book blocks.”

Response

Admit that Defendant never obtained a license to publish the photographs “Dinamation exhibit at the Museum of Natural History, Cincinnati, OH” and “8-foot long nesting dinosaur wrapped around at least 20 eggs” in printings of “*Visualizing Earth Science*, 1e Book blocks” and deny the remaining allegations set forth in Request for Admission 28.

REQUEST FOR ADMISSION 29: Admit that Defendant published Plaintiff’s photograph entitled or referred to as “Enormous Triceratops Skeleton” in a publication entitled or referred to as “*Physics*, 8E.”

Response

Admit that Wiley published the photograph “Enormous Triceratops Skeleton” in a publication entitled “*Physics*, 8E” and deny the remaining allegations set forth in Request for Admission 29.

REQUEST FOR ADMISSION 30: Admit that any license Defendant purports to have to use Plaintiff’s photograph entitled or referred to as “Enormous Triceratops Skeleton” in a publication entitled or referred to as “*Physics*, 8E” was limited to 100,000 total copies.

Response

Admit that the license to use “Enormous Triceratops Skeleton” in a publication entitled or referred to as “*Physics*, 8E” was limited to 100,000 total copies and deny the remaining allegations set forth in Request for Admission 29.

REQUEST FOR ADMISSION 31: Admit that Defendant printed more than 100,000 total copies of the publication entitled or referred to as “*Physics*, 8E.”

Response

Admit.

Dated: Hoboken, NJ
July 5, 2011

By: /s/ Ashima Aggarwal
Ashima Aggarwal

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EXHIBIT 8

Amended Complaint Exhibit A Line	Original Complaint Exhibit A Line	Image Description	Registration Certificate No.	License/ Invoice No.	Wiley Publication	License Limit Violated	Wiley Documents Evidencing Use Beyond License Limits	Wiley Admission No.('s)
1	1	2 Antelope Island, White Rock Bay, Great Salt Lake, UT	VA 1-720-920	1002	Skinner, Blue Planet, 1st Edition	print quantity (20,000 limit)	WBEAN 0004989	40, 41
2	2	3 Passive Solar Home with Trombe Walls, Flagstaff, AZ	VA 1-720-920	1003	Botkin, Environmental Science: Earth as a Living Planet, 1st Edition	print quantity (25,000 limit)	WBEAN 0004977	42, 43
3	2	3 Passive Solar Home with Trombe Walls, Flagstaff, AZ	VA 1-720-920	1003	Botkin, Environmental Science: Earth as a Living Planet, 1st Edition	media (no CD-Roms authorized)	WBEAN 0004977	
4	3	6 Fault Breccia, Grapevine Mts. Of Death Valley National Park, CA	VA 1-720-932	1029	Skinner, Dynamic Earth, 3d Edition	print quantity (40,000 limit)	WBEAN 0004991	3, 4
5	4	4 Three-toed Dinosaur Tracks, Cameron, Arizona	VA 1-720-932	1029	Skinner, Dynamic Earth, 3d Edition	print quantity (40,000 limit)	WBEAN 0004991	
6	5	5 Three-toed Dinosaur Tracks, Cameron, Arizona (second use in book)	VA 1-720-932	1029	Skinner, Dynamic Earth, 3d Edition	print quantity (40,000 limit)	WBEAN 0004991	
7	6	7 Exposed Rock Layers, Rapley Monocline near Mexican Hat, UT	VA 1-720-932	1029	Skinner, Dynamic Earth, 3d Edition	print quantity (40,000 limit)	WBEAN 0004991	
8	11	46 The Burren, Karst Topography, eroded limestone, Ireland	VA 1-785-789	2045	Strahler, Physical Geography: Science and Systems, 1st Edition	print quantity (20,000 limit)	WBEAN 0005001	54, 55
9	11	46 The Burren, Karst Topography, eroded limestone, Ireland	VA 1-785-789	2045	Strahler, Physical Geography: Science and Systems, 1st Edition	geographic distribution (US only)	WBEAN 0005001	
10	12	47 Braided Stream Channel of the Chitina River, Wrangell Mountains, Alaska	VA 1-739-343	2045	Strahler, Physical Geography: Science and Systems, 1st Edition	print quantity (20,000 limit)	WBEAN 0005001	54, 55
11	12	47 Braided Stream Channel of the Chitina River, Wrangell Mountains, Alaska	VA 1-739-343	2045	Strahler, Physical Geography: Science and Systems, 1st Edition	geographic distribution (US only)	WBEAN 0005001	
12	13	48 Desert Pavement, KOFA National Wildlife Refuge, Arizona	VA 1-739-343	2045	Strahler, Physical Geography: Science and Systems, 1st Edition	print quantity (20,000 limit)	WBEAN 0005001	54, 55
13	13	48 Desert Pavement, KOFA National Wildlife Refuge, Arizona	VA 1-739-343	2045	Strahler, Physical Geography: Science and Systems, 1st Edition	geographic distribution (US only)	WBEAN 0005001	
14	14	49 Sagebrush, Moffat County, Colorado	VA 1-720-931	2045	Strahler, Physical Geography: Science and Systems, 1st Edition	print quantity (20,000 limit)	WBEAN 0005001	54, 55
15	14	49 Sagebrush, Moffat County, Colorado	VA 1-720-931	2045	Strahler, Physical Geography: Science and Systems, 1st Edition	geographic distribution (US only)	WBEAN 0005001	
16	15	45 Eroded Limestone near Vinales, Pinar del Rio, Cuba	VA 1-720-931	2045	Strahler, Physical Geography: Science and Systems, 1st Edition	print quantity (20,000 limit)	WBEAN 0005001	54, 55
17	15	45 Eroded Limestone near Vinales, Pinar del Rio, Cuba	VA 1-720-931	2045	Strahler, Physical Geography: Science and Systems, 1st Edition	geographic distribution (US only)	WBEAN 0005001	

	Amended Complaint Exhibit A Line	Original Complaint Exhibit A Line	Image Description	Registration Certificate No.	License/ Invoice No.	Wiley Publication	License Limit Violated	Wiley Documents Evidencing Use Beyond License Limits	Wiley Admission No.('s)
18	16	50	El Yunque Rainforest, Bromeliads, Caribbean National Forest, PR	VA 1-739-343	2045	Strahler, Physical Geography: Science and Systems, 1st Edition	print quantity (20,000 limit)	WBEAN 0005001	54, 55
19	16	50	El Yunque Rainforest, Bromeliads, Caribbean National Forest, PR	VA 1-739-343	2045	Strahler, Physical Geography: Science and Systems, 1st Edition	geographic distribution (US only)	WBEAN 0005001	
20	19	15	Alluvial Fan, Black Mountains, Death Valley National Park, CA	VA 1-704-800	2127T	DeBlij, Physical Geography of the Global Environment, 2nd Edition	geographic distribution (North America only)	WBEAN 0004985	
21	24	20	Fossil Dinosaur Tracks, Painted Dessert, Cameron, Arizona	VA 1-720-926	2260K	Murck, Geology Today	geographic distribution (North America only)	WBEAN 0004988	
22	25	21	Exposed Rock Layers, Rapley Monocline near Mexican Hat, UT	VA 1-720-932	2260K	Murck, Geology Today	geographic distribution (North America only)	WBEAN 0004988	
23	26	22	Antelope Island, White Rock Bay, Great Salt Lake, UT	VA 1-720-920	2275T	Skinner, Blue Planet, 2d Edition	print quantity (30,000 limit)	WBEAN 0004990	13, 14
24	27	23	Passive Solar Home with Trombe Walls, Flagstaff, AZ	VA 1-720-920	2314T	Botkin, Environmental Science: Earth as a Living Planet, 3rd Edition	print quantity (20,000 limit)	WBEAN 0004979	46, 47
25	27	23	Passive Solar Home with Trombe Walls, Flagstaff, AZ	VA 1-720-920	2314T	Botkin, Environmental Science: Earth as a Living Planet, 3rd Edition	geographic distribution (North America only)	WBEAN 0004979	
26	28	24	Mangroves on Banks, Isle of Dominica, West Indies	VA 1-720-929	2314T	Botkin, Environmental Science: Earth as a Living Planet, 3rd Edition	print quantity (20,000 limit)	WBEAN 0004979	46, 47
27	28	24	Mangroves on Banks, Isle of Dominica, West Indies	VA 1-720-929	2314T	Botkin, Environmental Science: Earth as a Living Planet, 3rd Edition	geographic distribution (North America only)	WBEAN 0004979	
28	29	27	Fault Breccia, Grapevine Mts. Of Death Valley National Park, CA	VA 1-720-932	2445K	Skinner, Dynamic Earth, 4th Edition	print quantity (20,000 limit)	WBEAN 0004992	48, 49
29	29	27	Fault Breccia, Grapevine Mts. Of Death Valley National Park, CA	VA 1-720-932	2445K	Skinner, Dynamic Earth, 4th Edition	geographic distribution (North America only)	WBEAN 0004992	
30	30	26	Three-toed Dinosaur Tracks, Cameron, Arizona	VA 1-720-932	2445K	Skinner, Dynamic Earth, 4th Edition	print quantity (20,000 limit)	WBEAN 0004992	48, 49
31	30	26	Three-toed Dinosaur Tracks, Cameron, Arizona	VA 1-720-932	2445K	Skinner, Dynamic Earth, 4th Edition	geographic distribution (North America only)	WBEAN 0004992	
32	31	25	Sedimentary Rocks of Moenkopi Form, Wupatki, AZ	VA 1-785-790	2445K	Skinner, Dynamic Earth, 4th Edition	print quantity (20,000 limit)	WBEAN 0004992	48, 49
33	31	25	Sedimentary Rocks of Moenkopi Form, Wupatki, AZ	VA 1-785-790	2445K	Skinner, Dynamic Earth, 4th Edition	geographic distribution (North America only)	WBEAN 0004992	
34	32	28	Exposed Rock Layers, Rapley Monocline near Mexican Hat, UT	VA 1-720-932	2445K	Skinner, Dynamic Earth, 4th Edition	print quantity (20,000 limit)	WBEAN 0004992	48, 49
35	32	28	Exposed Rock Layers, Rapley Monocline near Mexican Hat, UT	VA 1-720-932	2445K	Skinner, Dynamic Earth, 4th Edition	geographic distribution (North America only)	WBEAN 0004992	
36	37	34	The Burren, Karst Topography, eroded limestone, Ireland	VA 1-785-789	2698T	Strahler, Physical Geography: Science and Systems, 2d Edition	print quantity (15,000 limit)		15, 16

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37	38	37	Braided Stream Channel of the Chitina River, Wrangell Mountains, Alaska	VA 1-739-343	2698T	Strahler, Physical Geography: Science and Systems, 2d Edition	print quantity (15,000 limit)		15, 16
38	39	38	Desert Pavement, KOFA National Wildlife Refuge, Arizona	VA 1-739-343	2698T	Strahler, Physical Geography: Science and Systems, 2d Edition	print quantity (15,000 limit)		15, 16
39	40	33	Sagebrush, Moffat County, Colorado	VA 1-720-931	2698T	Strahler, Physical Geography: Science and Systems, 2d Edition	print quantity (15,000 limit)		15, 16
40	41	36	Eroded Limestone near Vinales, Pinar del Rio, Cuba	VA 1-720-931	2698T	Strahler, Physical Geography: Science and Systems, 2d Edition	print quantity (15,000 limit)		15, 16
41	42	35	El Yunque Rainforest, Bromeliads, Caribbean National Forest, PR	VA 1-739-343	2698T	Strahler, Physical Geography: Science and Systems, 2d Edition	print quantity (15,000 limit)		15, 16
42	48	44	The Burren, Karst Topography, eroded limestone, Ireland	VA 1-785-789	2843	Strahler, Introducing Physical Geography, 3rd Edition CD Rom	print quantity (15,200 limit)		17, 18
43	49	53	Ponderosa pine forest after thinning, Coconino National Forest, Flagstaff, AZ	VA 1-720-910	2857K	Botkin, Environmental Science: Earth as a Living Planet, 4th Edition	print quantity (30,000 limit)	WBEAN 0004980	56, 57
44	49	53	Ponderosa pine forest after thinning, Coconino National Forest, Flagstaff, AZ	VA 1-720-910	2857K	Botkin, Environmental Science: Earth as a Living Planet, 4th Edition	geographic distribution (North America only)	WBEAN 0004980	
45	49	53	Ponderosa pine forest after thinning, Coconino National Forest, Flagstaff, AZ	VA 1-720-910	2857K	Botkin, Environmental Science: Earth as a Living Planet, 4th Edition	media (no e-books licensed)	WBEAN 0004980	
46	50	52	Ponderosa pine forest before tree thinning, Coconino National Forest, Flagstaff, AZ	VA 1-720-910	2857K	Botkin, Environmental Science: Earth as a Living Planet, 4th Edition	print quantity (30,000 limit)	WBEAN 0004980	56, 57
47	50	52	Ponderosa pine forest before tree thinning, Coconino National Forest, Flagstaff, AZ	VA 1-720-910	2857K	Botkin, Environmental Science: Earth as a Living Planet, 4th Edition	geographic distribution (North America only)	WBEAN 0004980	
48	50	52	Ponderosa pine forest before tree thinning, Coconino National Forest, Flagstaff, AZ	VA 1-720-910	2857K	Botkin, Environmental Science: Earth as a Living Planet, 4th Edition	media (no e-books licensed)	WBEAN 0004980	
49	51	54	Passive Solar Home with Trombe Walls, Flagstaff, AZ	VA 1-720-920	2857K	Botkin, Environmental Science: Earth as a Living Planet, 4th Edition	print quantity (30,000 limit)	WBEAN 0004980	56, 57
50	51	54	Passive Solar Home with Trombe Walls, Flagstaff, AZ	VA 1-720-920	2857K	Botkin, Environmental Science: Earth as a Living Planet, 4th Edition	geographic distribution (North America only)	WBEAN 0004980	
51	51	54	Passive Solar Home with Trombe Walls, Flagstaff, AZ	VA 1-720-920	2857K	Botkin, Environmental Science: Earth as a Living Planet, 4th Edition	media (no e-books licensed)	WBEAN 0004980	

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52	52	51	Mangroves on Banks, Isle of Dominica, West Indies	VA 1-720-929	2857K	Botkin, Environmental Science: Earth as a Living Planet, 4th Edition	print quantity (30,000 limit)	WBEAN 0004980	56, 57
53	52	51	Mangroves on Banks, Isle of Dominica, West Indies	VA 1-720-929	2857K	Botkin, Environmental Science: Earth as a Living Planet, 4th Edition	geographic distribution (North America only)	WBEAN 0004980	
54	52	51	Mangroves on Banks, Isle of Dominica, West Indies	VA 1-720-929	2857K	Botkin, Environmental Science: Earth as a Living Planet, 4th Edition	media (no e-books licensed)	WBEAN 0004980	
55	53	57	Fault Breccia, Grapevine Mts. Of Death Valley National Park, CA	VA 1-720-932	2935	Skinner, Dynamic Earth, 5th Edition	print quantity (30,000 limit)	WBEAN 0004993	19, 20
56	53	57	Fault Breccia, Grapevine Mts. Of Death Valley National Park, CA	VA 1-720-932	2935	Skinner, Dynamic Earth, 5th Edition	media (no e-books licensed)	WBEAN 0004993	
57	53	57	Fault Breccia, Grapevine Mts. Of Death Valley National Park, CA	VA 1-720-932	2935	Skinner, Dynamic Earth, 5th Edition	geographic distribution (North America only)	WBEAN 0004993	
58	54	59	City Dump on Permafrost Soils, Kotzebue, AK	VA 1-720-206	2935	Skinner, Dynamic Earth, 5th Edition	print quantity (30,000 limit)	WBEAN 0004993	19, 20
59	54	59	City Dump on Permafrost Soils, Kotzebue, AK	VA 1-720-206	2935	Skinner, Dynamic Earth, 5th Edition	media (no e-books licensed)	WBEAN 0004993	
60	54	59	City Dump on Permafrost Soils, Kotzebue, AK	VA 1-720-206	2935	Skinner, Dynamic Earth, 5th Edition	geographic distribution (North America only)	WBEAN 0004993	
61	55	56	Three-toed Dinosaur Tracks, Cameron, Arizona	VA 1-720-932	2935	Skinner, Dynamic Earth, 5th Edition	print quantity (30,000 limit)	WBEAN 0004993	19, 20
62	55	56	Three-toed Dinosaur Tracks, Cameron, Arizona	VA 1-720-932	2935	Skinner, Dynamic Earth, 5th Edition	media (no e-books licensed)	WBEAN 0004993	
63	55	56	Three-toed Dinosaur Tracks, Cameron, Arizona	VA 1-720-932	2935	Skinner, Dynamic Earth, 5th Edition	geographic distribution (North America only)	WBEAN 0004993	
64	56	55	Sedimentary Rocks of Moenkopi Form, Wupatki, AZ	VA 1-785-790	2935	Skinner, Dynamic Earth, 5th Edition	print quantity (30,000 limit)	WBEAN 0004993	19, 20
65	56	55	Sedimentary Rocks of Moenkopi Form, Wupatki, AZ	VA 1-785-790	2935	Skinner, Dynamic Earth, 5th Edition	media (no e-books licensed)	WBEAN 0004993	
66	56	55	Sedimentary Rocks of Moenkopi Form, Wupatki, AZ	VA 1-785-790	2935	Skinner, Dynamic Earth, 5th Edition	geographic distribution (North America only)	WBEAN 0004993	
67	57	58	Hogback Ridges,Grand Staircase- Escalante National Monument, UT	VA 1-720-206	2935	Skinner, Dynamic Earth, 5th Edition	print quantity (30,000 limit)	WBEAN 0004993	19, 20
68	57	58	Hogback Ridges,Grand Staircase- Escalante National Monument, UT	VA 1-720-206	2935	Skinner, Dynamic Earth, 5th Edition	media (no e-books licensed)	WBEAN 0004993	
69	57	58	Hogback Ridges,Grand Staircase- Escalante National Monument, UT	VA 1-720-206	2935	Skinner, Dynamic Earth, 5th Edition	geographic distribution (North America only)	WBEAN 0004993	
70	58	60	Oblique Aerial View of a Drumlin Field, Wisconsin	VA 1-720-206	2936	Skinner, Dynamic Earth, 5th Edition	print quantity (30,000 limit)	WBEAN 0004993	19, 20

	Amended Complaint Exhibit A Line	Original Complaint Exhibit A Line	Image Description	Registration Certificate No.	License/ Invoice No.	Wiley Publication	License Limit Violated	Wiley Documents Evidencing Use Beyond License Limits	Wiley Admission No.('s)
71	58	60	Oblique Aerial View of a Drumlin Field, Wisconsin	VA 1-720-206	2936	Skinner, Dynamic Earth, 5th Edition	media (no e-books licensed)	WBEAN 0004993	
72	58	60	Oblique Aerial View of a Drumlin Field, Wisconsin	VA 1-720-206	2936	Skinner, Dynamic Earth, 5th Edition	geographic distribution (North America only)	WBEAN 0004993	
73	71	75	Ponderosa pine forest after thinning, Coconino National Forest, Flagstaff, AZ	VA 1-720-910	3146	Botkin, Environmental Science: Earth as a Living Planet, 5th Edition	print quantity (30,000 limit)	WBEAN 0004981	23, 24
74	71	75	Ponderosa pine forest after thinning, Coconino National Forest, Flagstaff, AZ	VA 1-720-910	3146	Botkin, Environmental Science: Earth as a Living Planet, 5th Edition	geographic distribution (North America only)	WBEAN 0004981	
75	71	75	Ponderosa pine forest after thinning, Coconino National Forest, Flagstaff, AZ	VA 1-720-910	3146	Botkin, Environmental Science: Earth as a Living Planet, 5th Edition	media (no e-books licensed)	WBEAN 0004981	
76	72	74	Ponderosa pine forest before tree thinning, Coconino National Forest, Flagstaff, AZ	VA 1-720-910	3146	Botkin, Environmental Science: Earth as a Living Planet, 5th Edition	print quantity (30,000 limit)	WBEAN 0004981	23, 24
77	72	74	Ponderosa pine forest before tree thinning, Coconino National Forest, Flagstaff, AZ	VA 1-720-910	3146	Botkin, Environmental Science: Earth as a Living Planet, 5th Edition	geographic distribution (North America only)	WBEAN 0004981	
78	72	74	Ponderosa pine forest before tree thinning, Coconino National Forest, Flagstaff, AZ	VA 1-720-910	3146	Botkin, Environmental Science: Earth as a Living Planet, 5th Edition	media (no e-books licensed)	WBEAN 0004981	
79	73	73	Passive Solar Home with Trombe Walls, Flagstaff, AZ	VA 1-720-920	3146	Botkin, Environmental Science: Earth as a Living Planet, 5th Edition	print quantity (30,000 limit)	WBEAN 0004981	23, 24
80	73	73	Passive Solar Home with Trombe Walls, Flagstaff, AZ	VA 1-720-920	3146	Botkin, Environmental Science: Earth as a Living Planet, 5th Edition	geographic distribution (North America only)	WBEAN 0004981	
81	73	73	Passive Solar Home with Trombe Walls, Flagstaff, AZ	VA 1-720-920	3146	Botkin, Environmental Science: Earth as a Living Planet, 5th Edition	media (no e-books licensed)	WBEAN 0004981	
82	74	76	Sonoran Desert in Spring after Wet Winter, Tonto, AZ	VA 1-720-153	3169	Alters, Biology 1st Edition	print quantity (40,000 limit)	WBEAN 0004974	60, 61
83	75	77	Sonoran Desert in Spring after Dry Winter, Tonto, AZ	VA 1-720-153	3169	Alters, Biology 1st Edition	print quantity (40,000 limit)	WBEAN 0004974	60, 61
84	87	89	Passive Solar Home with Trombe Walls, Flagstaff, AZ	VA 1-720-920	3235	Botkin, Environmental Science: Earth as a Living Planet, Canadian Edition	print quantity (10,000 limit)		64, 65
85	88	90	Wahweap Marina, Glen Canyon National Recreation Area, near Page, AZ	VA 1-720-097	3293	DeBlij, Geography: Realms, Regions, and Concepts, 12th Edition	print quantity (40,000 limit)	WBEAN 0004986	66, 67

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87	94	97	Mangroves on Banks, Isle of Dominica, West Indies	VA 1-720-929	3487	Botkin, Environmental Science: Earth as a Living Planet, 6th Edition	geographic distribution (North America only)	WBEAN 0004982	
88	95	99	Comb Ridge, w/ strata of monocline and San Juan River, Mexican Hat, UT	VA 1-720-097	3488	Strahler, Physical Geography, 4th Edition, Canadian	print quantity (11,000 limit)		74, 75
89	96	100	The Burren, Karst Topography, eroded limestone, Ireland	VA 1-785-789	3503	Strahler, Physical Geography, 4th Edition, Canadian	print quantity (11,000 limit)		74, 75
90	97	101	El Yunque Rainforest, Bromeliads, Caribbean National Forest, PR	VA 1-739-343	3503	Strahler, Physical Geography, 4th Edition, Canadian	print quantity (11,000 limit)		74, 75
91	98	102	Mangroves on Banks, Isle of Dominica, West Indies	VA 1-720-929	3549	Botkin, Keller, Essential Environmental Science, 1st Edition	geographic distribution (North America only)	WBEAN 0004987	